

2016 - 2022



**FIGHTING & WINNING
FOR LOUISIANA**

**OFFICE OF THE ATTORNEY GENERAL
JEFF LANDRY**

For seven years, we have fought for

CITIZENS

Fought against illegal immigration (pg.222) and sanctuary cities (225) while defending Title 42 (233) and Louisiana sovereignty.

CONSUMERS

Protected against counterfeits (152), price gouging (143), and deceptive practices (154) while fighting for access to safe baby formula (148, 230).

FAMILIES

Defended parental rights (59), fought the opioid epidemic (126), published quarterly recalls on child products, and protected pensions (174).

GUN OWNERS

Defended concealed carry permit holders (65) and the Second Amendment (66-71) then pushed back against big banks & restrictions (72).

INFRASTRUCTURE

Fought for clean drinking water (32), the restoration of coastal erosion (33), and the Bayou Chene Flood Protection Plan (34).

CHILDREN

Fought for innocence (52), protection from predators (181), Internet safety (210), and personal freedom on COVID vaccines (114).

ELECTIONS

Fought voter fraud (190-191), Zuckerbucks (218-219), election fraud (220), and the censorship of American voices on social media (211).

FARMERS

Fought for poultry and hog farmers (24), and blocked an Obama-era rule declaring drainage ditches as "navigable waters" (32).

INDUSTRY

Protected Louisiana's energy sector (39), stood up for business owners during COVID (108, 122-123), and saved the alligator industry (26).

LAWS

Successfully prosecuted violent crimes (185), fought COVID mandates (111, 116, 119), snuffed out corruption (184), and defied a two-tiered justice system (208).

and protected Louisiana

OUTDOORSMEN

Fought for fairness in fishery management (27), freedom for shrimpers to trawl (28), and Louisiana's horseracing industry (30).

SENIORS

Fought against financial exploitation and scams (138, 146) while protecting elders from welfare fraud (182) and nursing home abuse (36).

TAXPAYERS

Managed collections (18), defended right to cut taxes (144), prosecuted fraudulent unemployment claims (147), and protected benefits (236).

VETERANS

Protected veterans from fraudulent schemes (94) and fought for loan relief in cases of service-related total and permanent disability (96).

WOMEN

Fought to protect women from abortion clinics, unsanitary conditions, a lack of basic safety standards, and incompetent staff (78-92).

PATIENTS

Protected coverage for pre-existing conditions (98) while fighting for affordable drug prices (100-103) and healthcare (106-7).

STUDENTS

Defended charter schools (58), girls' sports (54), SNAP (56), prayer (75), and the expansion of digital learning during COVID (109).

VALUES

Defended freedom of religion (76), healthcare (121), and speech (211), while protecting common sense (23, 62) and our departed loved ones (35).

VICTIMS

Restored emphasis on victims over criminals (198-199) and pushed back against the federal consent decree in New Orleans (200).

WORKERS

Defended the freedoms of private sector employees, federal contractors, healthcare heroes, head start staff (122-125) and American scientists (215).

RESPECT

That's what it's all about:
respect for the citizens of
Louisiana.

Because we deserve safe
communities, good
schools, economic
opportunities, and a
healthy environment
with natural resources
preserved for future
generations.

That's why we are
fighting and winning to
protect the people of
Louisiana as well as the
land we love so much.

This book is the story of
that fight—and the wins
we've made for YOU.





The Oath

“I, Jeff Landry, do solemnly swear that I will support the Constitution and laws of the United States, and the Constitution and laws of this State, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as Attorney General of the State of Louisiana according to the best of my ability and understanding so help me God.”

Sworn in as Louisiana’s 45th Attorney General by Chief Justice Bernette J. Johnson of the Louisiana Supreme Court on January 11, 2016.

The People's Lawyer

If you are seeking justice for yourself in a personal, corporate, or family matter, you try to get the best legal representation.

But if an entire State or its political subdivisions is injured or victimized by the federal government, a multi-national corporation, or even another State—that requires an Attorney General.

An AG doesn't serve as legal counsel for individual citizens. Instead, as the State's chief legal officer, the Attorney General represents the people of Louisiana as a whole. In this way, the AG protects the public interests of the larger community from those who wish to damage, injure, silence, or defraud it.

That means protecting Louisiana's natural resources, from our coastal marshes to our agricultural fields. It means investigating fraud and other crimes against our most vulnerable, as well as securing justice. And it means educating our citizens so that they can make wise choices based on information they can trust, whether that's meant to help a loved one escape the toxic maze of opioid addiction or to steer consumers away from other harmful or hazardous products.

To be sure, the role of an AG can be complex. On the one hand, the Attorney General is required to enforce the laws as they are written and ensure compliance; on the other, he or she can advocate for new policy and issue legal opinions as necessary to protect and inform citizens. That's just one example.

But at the heart of it, the Office of the Attorney General exists to safeguard the freedoms of Louisianans from federal overreach, unconstitutional mandates, and crimes within our State.



Of course, no one could possibly overcome so many (and such relentless) battles alone, which is why he or she is often paired with a team of attorneys, agents, and support staff—enabling the AG to be in many places at once.

Together, for the past seven years, such a team has effectively served the citizens of Louisiana, overcoming challenges never before faced by our State. Yet, by working together, they have accomplished a great deal.

It just goes to show that when we come together, we win.

Table of Contents

OUR LAND (Page 22)

AGRICULTURE · ENVIRONMENT · NATURAL DISASTERS · ENERGY

OUR PEOPLE (Page 50)

STUDENTS · GUN RIGHTS · RELIGIOUS LIBERTIES · PRO-LIFE · VETERANS

OUR HEALTH (Page 97)

HEALTHCARE · COVID-19 · OPIOID EPIDEMIC

OUR PROSPERITY (Page 136)

ECONOMY · CONSUMER PROTECTION · ELDER FRAUD · SCAMS

OUR LAWS (Page 180)

ARRESTS · CONVICTIONS · PUBLIC CORRUPTION · DEATH PENALTY

OUR VOICE (Page 202)

BIG TECH · ELECTIONS

OUR SOVEREIGNTY (Page 221)

ILLEGAL IMMIGRATION

A tiger is shown in profile, looking towards the right. The tiger's fur is wet and matted, suggesting it has been in water. The background is a lush, green, natural environment with tall grasses and a body of water. Two semi-transparent green rectangular boxes are overlaid on the image, containing the words 'MEET' and 'YOUR' in white, bold, sans-serif capital letters.

MEET

YOUR

FIGHTERS



Together we win

Louisiana is worth fighting for.

Our State has an abundance of natural resources, from sugar and oil to timber and rice. We live in a Sportsman's Paradise with deer, ducks, wild turkey, and the mighty alligator. Our waters provide abundance, from the fish and oysters of the Gulf to the crawfish and crabs of the bayous. We have a history of innovation and ingenuity, a culture of joy and community, and a wealth of languages that have informed our worldview.

We boast the third largest port in the country, account for nearly one-fifth of U.S. refining capacity, and possess the third-highest natural gas production and reserves among the states. Louisiana was built by fishermen, farmers, trappers, and merchants; yet tourists have also marveled at our architecture and design, both charmed by the delicate wrought iron of the French Quarter and impressed by the modern structures in the North.

Our air is perfumed by the magnolia, sweet olive, gardenia, and long-leaf pine; our landscapes are decorated by the red hills and the vibrant swamps. Outsiders admire our ability to come together storm after storm, and at our steely determination to survive no matter what life throws at us. We are the original melting pot of cultures, from the Indigenous to the European, from Nova Scotia to West Africa. And all have combined to create a place that is wildly unique and firmly individualistic.

And while you can get a taste of Louisiana on almost any menu across the country, we all know that the true flavors of our State are best enjoyed within our borders—because our greatest resource is our people and their knowledge of this place we call home.

That is who we fight for every day...but we can't do it alone.

Our Divisions

ADMINISTRATIVE

Director: Elise Cazes

These are the logistics people who manage LADOJ assets, employees, and technology.

CRIMINAL

Directors: Leon Cannizzaro

They assist District Attorneys with investigations and prosecutions.

COMMUNICATIONS

Director: Millard Mulé

These are the liaisons between the Office of the Attorney General and everyone else.

GAMING

Director: Chris Hebert

These folks keep gaming honest, from casinos and lotteries to sports and poker.

LITIGATION

Director: Sonia Mallett

This team provides legal representation to the State, its agencies, and its employees.

CIVIL

Director: Angelique Freel

This group protects natural resources, collects debts, and defends the State's programs.

EXECUTIVE

Chief Deputy AG: Bill Stiles

This division oversees all of the divisions while developing policies and best practices.

FEDERALISM

Director: Liz Murrill

This is the Office of the Solicitor General, which handles mostly federal cases.

INVESTIGATION

Director: Joe Picone

The LBI investigates cyber crimes, child exploitation, fraud, and public corruption.

PUBLIC PROTECTION

Director: Mike Dupree

They protect consumers from unfair and deceptive trade practices.



JEFF LANDRY
Attorney General

THE LEADER

ATTORNEY GENERAL JEFF LANDRY

Jeff Landry knows how to build teams.

And since being granted the opportunity to serve as Louisiana Attorney General, he has been instrumental in creating one of the greatest legal teams in the country.

Conservative to his bones, he is the fearless leader who captures the essence of what it means to be a Louisianan: intellectually fierce with a colorful personality that stays true to its roots.

Born and raised in St. Martinville, he grew up during the oil bust as one of four children. Having ADHD and boundless energy, his agile mind soon led him to a variety of life experiences, from working on a sugar cane farm to joining the National Guard and becoming a veteran of Desert Storm. He started an oil & gas business, informed by a bachelor's degree in Environmental and Sustainable Resources, then became the Executive Director of the St. Martin Parish Economic Development Authority.

He went on to law school at the age of 30, and in 2010, he was elected to the U.S. House of Representatives where he became known as a strong advocate for both the Constitution and the people of Louisiana. Recently, he's served two terms as our State's chief legal officer. Through all of these experiences, he has gained the ability to see clearly what is actually happening in our State, as well as our country. And it is because of that clarity, Jeff Landry has developed a vision for the future that addresses a constellation of issues relevant to our State.

To achieve that vision, however, he needed a team of change agents—the best legal minds available, ready for battle, to help protect and serve Louisiana.



THE ARCHITECT

**CHIEF DEPUTY
ATTORNEY GENERAL
WILBUR "BILL"
STILES, III**

Bill Stiles is responsible for managing the legal, investigative, and administrative affairs of the Louisiana DOJ. With experience in civil and criminal law, he ensures the exemplary performance of LADOJ's unique divisions through effective management, team building, and communication.

A U.S. Navy Veteran and a criminal prosecutor for twelve years, he believes in fundamental fairness and fights tirelessly to protect our rights to privacy, religious freedom, healthcare autonomy, and responsible government. By personally investing in his employees and their ideas, he ensures that the people of Louisiana are well served by a dedicated and hardworking department. He has personally represented the AG in several landmark cases, including the opioid settlement worth over \$340 million. He was also the architect of the legal theory that proved collusion between Big Tech and the Biden Administration in censoring the free speech of American citizens.

THE LINCHPIN

**SOLICITOR GENERAL
LIZ MURRILL**



Liz Murrill is the very first Solicitor General of Louisiana, appointed by the Attorney General himself.

Possessing a sharp legal mind in connection with a vast network of legal thought leaders, Liz Murrill has helped Jeff Landry transform his vision into reality by marshaling the necessary troops for legal battles, pulling together multi-state efforts, and harnessing the power of the courts to affect necessary change on the national stage.

In short, she knows how to get stuff done; whether that's arguing in front of the U.S. Supreme Court to stop unconstitutional vaccine mandates or addressing the problems of Louisiana as they relate to the national dialogue. She is the team player who brings everyone together to achieve a common goal by both understanding the technical aspects of the fight ahead and implementing the appropriate plays.



ADMINISTRATIVE DIRECTOR

Elise Cazes has nearly two decades of private, non-profit, and public experience – including the Louisiana Division of Administration. Her office oversaw the modernization of LADOJ, from updating extremely outdated technology to upgrading how our office functions.

CIVIL DIRECTOR

Angelique Freel has worked in the Civil Division under three Attorneys General, ensuring that any right or interest of the State is protected. Her office handles all AG opinions and serves as legal advisor for governmental officers and elected officials.



CRIMINAL DIRECTOR

Leon Cannizzaro is the former Orleans Parish District Attorney with experience as a prosecutor, public defender, and both a district and appellate judge. His office works to ensure that criminals are held accountable and victims are supported.

COMMUNICATIONS DIRECTOR

A graduate of the Jesuit High School in New Orleans, Millard Mulé worked to create our successful outreach section, deliver a new website, raise awareness, and increase social media engagement by 2,361% (Twitter), 3,085% (Facebook), & 1,286% (Instagram).



GAMING DIRECTOR

Christopher Hebert has served as an Assistant AG for over 10 years and was instrumental in protecting Louisiana horseracing. He also works with various gaming control boards, the lottery, and tribal leaders to reach mutually beneficial agreements.



INVESTIGATION DIRECTOR

Joe Picone has over three decades of law enforcement experience, specializing in criminal investigations. Through his work with the LADOJ, he's spearheaded our fugitive apprehension unit, the ICAC Task Force, and our anti-fraud and public corruption efforts.

LITIGATION DIRECTION

Sonia Mallett has spent the majority of the last 25 years serving with the Louisiana Department of Justice. During that time, she has managed a large number of lawyers in defending claims against the State, making her the leader of the State's defense firm.



PUBLIC PROTECTION DIRECTOR

Mike Dupree has spent over 15 years in service to Louisiana. In this current role, he has pursued claims for the State mostly focused on consumer protection, unfair trade practices, and various settlements related to tobacco, vaping, and opioids.

OUR SUCCESSES

7 YEARS IN REVIEW

FUGITIVE APPREHENSION UNIT

OVER
1,059 ARRESTS 

CLEARED **> 3,184**
WARRANTS

MEDICAID FRAUD CONTROL UNIT

RECOVERED OVER
\$142 MILLION

400+ CONVICTIONS 

LITIGATION DIVISION

CLOSED CASES
7,238 &  COUNTING

FIGHT AGAINST OPIOID EPIDEMIC

80 DRUG TAKE-BACK BOXES ACROSS **50** PARISHES

VOUCHERS FOR MORE THAN **20,000** VIALS OF NALOXONE

40,000 DRUG DISPOSAL POUCHES


CO-CREATED



COLLECTIONS SECTION

COLLECTED **\$164.8M+**
OWED TO THE STATE

INTERNET CRIMES AGAINST CHILDREN (ICAC)

800+ ARRESTS 
ANALYZED OVER
2,500 PIECES OF EVIDENCE
(OVER 500 TERABYTES OF DATA!)

CIVIL DIVISION

ISSUED OVER
833 OPINIONS 

UNEMPLOYMENT INSURANCE FRAUD

INVESTIGATED 95 CASES
IDENTIFYING **\$3M+** IN COVID FRAUD

LAW ENFORCEMENT/FIREMAN SURVIVOR BENEFITS BOARD

115 CLAIMS APPROVED AWARDING
\$30.2M TO FAMILIES

OUR AWARDS

DEPARTMENT OF JUSTICE



CONFERENCE OF WESTERN ATTORNEYS GENERAL AWARD (2016)

Our KnowMoreLouisiana.com won for Best Consumer Outreach.

The material was described as "unique, not only in its focus on teens, but also in the depth of content made possible by such focus."

U.S. DHH INSPECTOR GENERAL'S AWARD OF EXCELLENCE

Our Medicaid Fraud Control Unit earned this award for their efforts in fighting fraud, waste, and abuse.

PERSONAL AWARDS

In 2016, Jeff Landry was elected Vice-President of the National Association of Attorneys General. He was voted President of that same association in 2018.

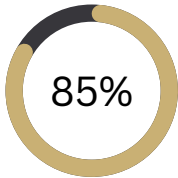
That same year, he was also recognized at the Centennial Pro-Life Rose Dinner and given a Leadership Award by Responsibility.org for utilizing social media and professional platforms to champion law enforcement issues and underage drinking prevention campaigns. In 2019, he was presented the Gladiator Award by the Louisiana Family Forum.



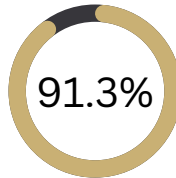
OUR OFFICE

7 YEARS IN REVIEW

OFFICE IMPROVEMENTS



Increase in female employees



Increase in women in leadership

Converted to LA Checkbook for greater transparency in how public dollars are spent



Invested in building security and parking safety

Invested in technology to allow for telecommute, improving work-life balance

Ensured equal pay for women, without an increase in SGF budget



Established a lactation room for working mothers

CREATING NEW SERVICES

Implemented the Civil Law Training program to provide free training to board members, commission members, and other public servants.



Invested in teleconference equipment

Created the Federalism Division



Assumed leadership of the newly-created Cemetery Task Force, an entity established in the wake of the 2016 floods that tasked the AG's office with responding to cemetery disruptions during disaster events

Created the Occupational Review Section to provide state supervision to boards and commissions made up of a majority of active market participants



Procured a case management system



Created an online training portal for the State's **775** Justices of the Peace & Constables

OUR OFFICE

7 YEARS IN REVIEW

Litigation

Those who choose to make their livelihoods by serving our State are, unfortunately, sued. Our Litigation Division ensures their rights are upheld and taxpayers' dollars are judiciously protected.



Licensing

In a program created by the LADOJ, we oversee a variety of State Boards—ranging from Medical Examiners, Pharmacy and Dentistry to Physical Therapy and Certified Shorthand Reporters — to supervise activities and ensure members are in compliance with the law.

Training

We conduct numerous training sessions annually for law enforcement, prosecutors, and other criminal justice professionals focusing on issues greatly affecting women and children, such as sexual assault, domestic violence, and human trafficking.





**OUR
LAND**

Critical Habitat

The Mississippi Dusky Gopher Frog had not been seen in Louisiana for 50 years. Described as a small, “grumpy” amphibian native to ephemeral ponds, only about 100 individuals of this species are believed to be alive on our entire planet, enjoying a singular pond somewhere in Mississippi (thus the name). Yet when Mr. Edward Poitevent decided to turn his 1,500 acre tract of land into a \$20 million residential development for St. Tammany Parish, the property was labeled “critical habitat for an endangered species” by the federal government.

As a result, Mr. Poitevent was told he needed to prepare the land for the frog’s unlikely return by cutting down and burning thousands of trees only to plant new trees to create a longleaf pine forest. Controlled burns would also need to be conducted on a regular basis to maintain the underbrush. Without such changes, even if the final 100 dusky gopher frogs were rounded up in Mississippi and dumped onto Mr. Poitevent’s land, they wouldn’t survive. Meanwhile, the residents of St. Tammany would be subjected to air pollution, regular fires, and health hazards—all for a frog not even living in their community, let alone the State.

Mr. Poitevent, a lawyer by trade, sued the U.S. Fish and Wildlife Service; but the courts ruled in the government’s favor each and every time. Seven years transpired as the battle raged on, until it finally reached the U.S. Supreme Court with the support of Attorney General Jeff Landry. In the end, the Court ruled that the federal government had abused its authority when declaring those 1,500 acres to be a critical habitat for a frog that couldn’t even survive there.

But to ensure that this never happened again, AG Landry soon joined 19 other states in challenging the federal government’s ability to designate as “critical habitat” land where that endangered species did not presently live or could not live due to lack of necessary biological features, as it had done in St. Tammany. We won, further protecting property owners across our State from this blatant abuse of power.



Federal Beast of Burden

Louisiana has roughly 30,000 farm operations across eight million acres of farmland, with many focused on raising poultry, hogs, and cattle. On the whole, agriculture contributes nearly \$10 billion annually to our State's economy; yet our farmers remain some of the lowest-averaged earners in the industry nationwide, despite serving as the very backbone of our economy.

Apart from the romantic notions of farming life, you must be tough to be a farmer. It takes drive and determination to till the soil, manage seed, drive cattle to pasture, and sustain the hardships that ebb and flow like the cycles of the moon and the changing of the seasons. There are floods, famines, financial hardships, pandemics, and supply-chain problems that result in the inevitable low yields, trade disputes, and market volatility.

To be a successful farmer is to know more than the culture of the earth; it is to understand finance, trade, commodities, and government regulations. It is the highly sophisticated career choice defined by sweat and sacrifice that deserves the support of government, not burdensome regulations that all too often set the stage for scarcity rather than abundance.

That is the fight we're actively engaged in: to protect and support our farmers rather than have them caged by unfair and unlawful requirements forced upon them by either the federal government or voters in states thousands of miles away.

Over the years, California and Massachusetts have used ballot measures to impose strict requirements on the housing of poultry, cattle, and hogs to be sold within their states. The federal government even stepped in under the Obama Administration to dictate the type of soil a chicken must have access to in order for their eggs to be deemed organic.

Again and again, new standards were applied with more red tape and

more obstacles to be overcome. Yet the expense was always put on the farmer—not the decision maker living far away from our Gulf Coast.

For example, California consumes 15% of the country's pork, the most in the Nation; yet it only produces 0.12% of it. When they applied new rules for raising pork to be sold within the largest state of our union, only 4% of hog farmers across the country could meet those standards. As for the rest, they would need to remodel or build new barns in order to stay competitive. Many small, family-owned farms would undoubtedly be driven into bankruptcy as a result, while production and supply would decrease just as expenses and prices nationwide would inevitably go up.

This is the reason we fight. In 2017, we brought our case to the U.S. Supreme Court alongside a coalition of other states arguing that Massachusetts could not regulate animal housing in other states, and that California's regulations violated the Egg Products Inspection Act and the Commerce Clause of the U.S. Constitution, all while imposing economic harm to farmers and increased cost to consumers. In the case of California's egg law alone, such standards could cost consumers up to \$350 million. Regretfully, the U.S. Supreme Court refused to rule on the issue.

Yet we kept fighting when California later pushed Proposition 12 to further regulate pork and eggs imported into their state. And when the Trump Administration authorized his USDA to withdraw Obama's overreaching Organic Livestock and Poultry Practices Rule, we joined other AGs in legal briefs to defend this action.

We believe that Louisiana's agricultural industries will grow and flourish when we simply get government agencies out of the way, and that is why Attorney General Jeff Landry has fought tirelessly to defend those who dedicate their lives to the prosperity of our State. Still, as all farmers know, good things take time.

California said...

They were going to ban the importation and sale of alligator skins, despite the fact that the alligator trade has directly led to the resurgence and conservation of the American alligator as well the protection and maintenance of their natural wetland habitat (along with the other 8,000 species of plants and animals who live there). Since CA controls 30% of the global market, such a ban would have completely disrupted the entire supply chain, thus decimating the industry as well as our wetland protection programs. It would have also removed over \$100 million from Louisiana's annual economy.

We said NO.

Due to economic incentives, Louisiana's wild alligator population has increased from less than 100,000 to more than 2 million in the past 50 years while creating thousands of jobs. Our office took legal action to protect the industry and, in a major victory, a federal judge agreed: California cannot ban or block our continued success.

One fish, two fish, red fish, who?

How do you count fish you cannot see, then divide that number fairly between recreational and commercial anglers?

That is the complex task that fishery management councils must complete, all while juggling the demands of special interest groups, such as Sea Lords and Snapper Kings who use limited catch shares to both dominate and control commercial fishing in the Gulf. However, it is vital that all interests have an equal seat at the regulatory table, which is why AG Jeff Landry filed suit in 2017 to protect our red snapper population and ensure that all voices were heard. It resulted in a major regulatory win for Louisiana sportsmen and put control of our natural resources back into State hands.

Now in 2022, the issue is red grouper. New mathematical models and surveys have garnered recreational anglers a larger percentage of the reef fish quota, putting them once more at odds with their commercial counterparts. But as Attorney General Landry said, "Recreational and commercial fishing have coexisted in Louisiana for ages; we cannot allow one to be preserved at the expense of the other."

And so the fight for fairness continues in our "Sportsman's Paradise," which must provide a level playing field for all involved if we're to not only preserve but also enjoy the abundance of the Gulf.



TEDs Talk

Ask any Louisiana shrimper how they feel about Turtle Excluder Devices (TEDs), and you'll likely launch a conversation that extends from hurricane damage and debris to the fact that sea turtles simply aren't found in the shallow waters where they trawl. In fact, it's very rare to find a sea turtle in a shrimper's net. Still the National Oceanic and Atmospheric Administration's Fisheries Division argued that all 2,200 shrimping boats in Louisiana must have TEDs on all of their nets by the end of the following year.

These trap doors designed for sea turtles, while well-intentioned, are nevertheless problematic. First, they're expensive and must be custom-made. It takes time and trained hands for a net shop to build and install TEDs, then there are the obligatory in-person workshops and training sessions for fisherman to learn how to even use them. The COVID-19 pandemic disrupted all of this, especially the supply chain and labor market. Shrimpers couldn't even get TEDs, which meant that boats would be tied up instead of out on the water where they belonged—all because of this ruling.

Generally speaking, fisheries is a multi-billion dollar industry for Louisiana, with roughly one in every 70 jobs being related to seafood. Shrimping isn't something you simply learn how to do from a YouTube video: it's passed on from generation to generation. And the Louisiana shrimp industry accounts for 29% of all U.S. shrimp caught, even though that number has been in steady decline over recent years.

Between record high prices for diesel and ice and the competition from cheap shrimp imported into the country from subsidized markets, Louisiana shrimpers have been squeezed between a rock and hard place. Shrimp prices are far too low, market conditions are poor, and the cost of replacing equipment is sky high. Add to the mix recent hurricanes and environmental disasters that have decimated the shrimping industry as a whole, and you've got a perfect storm of economic loss.



Every time a shrimper goes out on the water, they need to fill their nets. Without shrimp, they can barely stay afloat. Yet these TED regulations put their very livelihoods at risk. If they trawl into debris from a storm, hit a crab trap, or even a tree stump, a TED can open the trap door and release roughly 40% of their catch. That shrimp doesn't make it to the dock, let alone the market or your dining table. All to prevent the death of sea turtles, when no proof has been provided demonstrating that Louisiana's shrimpers were even putting the endangered species at risk.

But even if the shrimpers wanted to comply, they simply couldn't. The TEDs weren't available, and the workers weren't there to install them. Yet the rule meant shrimpers couldn't do what they do best: provide the seafood Louisiana relies on.

So, Attorney General Jeff Landry and his team stepped in, landing a major victory for the State's shrimpers when a federal judge granted his emergency request to delay the implementation of TEDs. "Without this relief," Landry said, "our State's hardworking shrimpers would have been sidelined during the peak of their season, causing irreparable harm to an already at-risk industry and depriving folks across the Nation from enjoying the very best shrimp on the market."

It was a common-sense ruling that bought the shrimpers something infinitely valuable in this ongoing battle: the freedom to trawl.



Jockeying for Control

Jammed into a COVID relief package and passed by Congress in the dark of night, the Horseracing Integrity and Security Act (HISA) was designed to federalize the industry by taking regulatory power away from the states and giving it to a private corporation loosely monitored by the Federal Trade Commission. As a result, a London lawyer and a Bavarian investigator would control the entire industry through unclear, inconsistent, and oftentimes dangerous new rules forced upon those actually engaged in owning, breeding, training, grooming, racing, and caring for racehorses in Louisiana and other states.

WHOA, Nellie!

Louisiana has effectively regulated horseracing for over 200 years, and we believe that the people of our State should continue to control this activity, not political and corporate elites thousands of miles away. Moreover, Congress failed to fund HISA, and we do not believe that Louisiana should foot the bill —not through our tax dollars or fees applied to our racetracks. Unaccountable fiefdom to an unelected authority is not the path to integrity in any sport.



"We should not be taxing the people who work the hardest and receive the least to pay for HISA while it shows no interest in the safety of the sports' most at-risk participant: the thoroughbred jockey."

— AG Jeff Landry

Photo Finish

The process of creating the law and its associated regulations showed a reckless disregard not only for the thousands of industry participants in Louisiana, but also for our State as a whole. HISA would have delegated to a private body the full coercive power of the federal government while simultaneously making it completely unaccountable to the people. We took the matter to court. We made our argument clear. And we brought this attack on our State's sovereignty to a screeching halt—protecting not only the sport of horseracing, but also the culture created by those who love it most.

Yo-Yo WOTUS

The definition of WOTUS, or Waters of the United States, had remained constant since 1986. Then, in 2015, the Obama Administration issued a new rule, giving the federal government authority over any low spot on private property where rainwater collects, declaring roadside ditches, isolated streams, and dry channels to be "navigable waters" governed by the Clean Water Act.

It was an abuse of authority and a power grab that left landowners and agricultural producers wondering how to avoid criminal and civil penalties when utilizing their own land. So we joined a 22-state coalition to bring the matter to court; then we won an injunction blocking this Obama-era rule from taking effect, ultimately saving Louisiana hundreds of millions (if not billions) of dollars in compliance costs. Then we supported the Trump Administration in reverting WOTUS back to the original 1986 rule.

Full Metal Racket

There is no safe level of exposure to lead, which can cause damage to the brain, kidneys, and blood of developing fetuses, infants, and young children. As a result, the Trump Administration created a new rule to set higher standards for the safety of our drinking water, focused on reducing exposure to lead and copper in our schools and communities. It was set to take effect on March 16, 2021 with a full compliance date of January 16, 2024. Yet on his first day in office, Joe Biden requested a serious delay for these changes (presumably to revise or repeal the rule). We filed suit with four other states immediately thereafter, and remain in the fight for safe drinking water across the country.

An Appeal for Restoration

Sometimes litigation is more than a battle to win or lose; sometimes it's also a tool for raising awareness and charting new paths forward. That is why, in our fight against coastal erosion in Vermillion Parish, we filed suit against the U.S. Army Corps of Engineers—not only seeking to restore protected wetlands, but also to raise awareness of the federal government's failure in properly maintaining and preserving the White Lake Conservation Area.

Once belonging to private landowners, the 300-foot servitude granted to the United States became part of the Gulf Intracoastal Waterway (GIWW) in the 1920s. Due to negligence on the part of the federal government and nature's response to actions taken by the Corps, serious erosion has caused that servitude to expand on what is now State land. In some areas, that servitude exceeds 670 feet, encroaching on almost 72,000 acres south of Gueydan, which is a favored location for hunters, fishermen, and birders alike. Moreover, this expansion has contributed to land loss, saltwater intrusion, and further coastal erosion - a constant problem for Louisiana's coastline.

Of course, over the years, the Corps has been quick to file suit against our citizens when they have damaged the wetlands; yet the agency itself has not been held to that same standard. As the Attorney General argued, "if you're going to hold an individual or business accountable, then we expect the agency to be held accountable as well." After all, thousands of acres along our coast have been lost to the GIWW; and the Corps is in direct violation of their own servitude agreement, which limited them to the original 300 feet of land.

Still, the case was dismissed; and even though we appealed and continue to fight for our coastal wetlands, we did succeed in raising awareness on this issue and the true root of the problem: that perhaps the Corps isn't the best steward for Louisiana's land.

Come hell or high water...

It was called the Bayou Chene Flood Protection Plan and it was designed to protect St. Mary Parish and the surrounding areas from disaster. Two barges had already been sunk by the U.S. Army Corps of Engineers to divert high water events; but the time had come for an actual solution - that or let Morgan City flood. The proposal was to create a permanent structure that could be opened and closed depending on the risk of flooding. The problem was the threat of a lawsuit if the structure was built. It was either go to court or let the waters glut the "middle of everywhere."

We chose court.

As a matter of public safety, we defended the coastal use permit issued to the St. Mary Levee District by the Department of Natural Resources —and we won. Thanks to that legal victory, the permanent gating structure was built and has been actively protecting the Shrimp Capital ever since.

I'll be your Huckleberry

One aspect of natural disasters that is seldom discussed is how those disasters affect our cemeteries. In 2018, we formed a Louisiana Cemetery Task Force to address repair needed for tombstones as well as return displaced caskets, vaults, and remains to the appropriate places. There have been six major storms since the creation of our task force and with funding received through FEMA, we have been able to help over 500 families while repairing nearly 4,000 graves. By continuing this work, we are able to properly and respectfully take care of Louisiana's deceased and give our support to the families who need it most.

Automation Fail

In 2020, Hurricane Laura wreaked havoc on the broadband infrastructure of Louisiana, disrupting both critical Internet and phone connectivity. The problem was especially bad in Rapides Parish and around Lake Charles, as an overwhelming number of poles went down in the storm. Suddenlink, the major provider in the area, was slow to restore service to a large percentage of its customers; but even worse, those customers were still paying for services they weren't even receiving. Turns out, most of them had opted-in to an "advanced billing" system that automatically billed customers regardless of service status.

The Attorney General immediately took action, and our office worked with the company to provide Louisiana citizens with relief. As a result, \$13 million in credits have been provided to customers since December 2020, nearly \$13,000 in direct refunds were granted for those who filed complaints, over \$1.2 million in late fees have been waived, \$6 million in debt forgiveness has been granted to Louisiana consumers with 90-day late fees, and roughly \$136,000 in waived service fees have been applied. Furthermore, Suddenlink has agreed to invest \$150 million in rebuilding the affected networks.

Bob Dean

Hurricane Ida was a Category 4 storm that ravaged parts of Louisiana with 150 mph winds, making it one of the strongest storms to ever hit our State. Naturally, in preparation for Ida, many people evacuated to safer locations. Similarly, Bob Dean, owner and operator of seven nursing homes across the State, chose to evacuate the 843 residents in his care; however, this decision resulted in seven deaths, dozens of hospitalizations, and hundreds of families trying to find their loved ones.

Dean had not evacuated his residents to another healthcare facility. Instead, he had moved them into a warehouse, where conditions quickly deteriorated until the evacuation plan became far worse than the storm itself. Health inspectors discovered elderly and sick patients living in filth, tightly packed together, and crying out for help. Water had entered the building, generators had failed, residents were left on mattresses on the floor without food or clean clothes, and the smell of feces overpowered the space. Yet Dean ordered the inspectors to leave immediately.

That led to a rescue mission by the Louisiana Department of Health during which residents were moved to safety by air-conditioned buses and ambulances. However, once residents arrived at these new locations, it was noted that they had not been fed in hours, didn't have their necessary medications, and could not relay to doctors or nurses what medical treatments they had received.

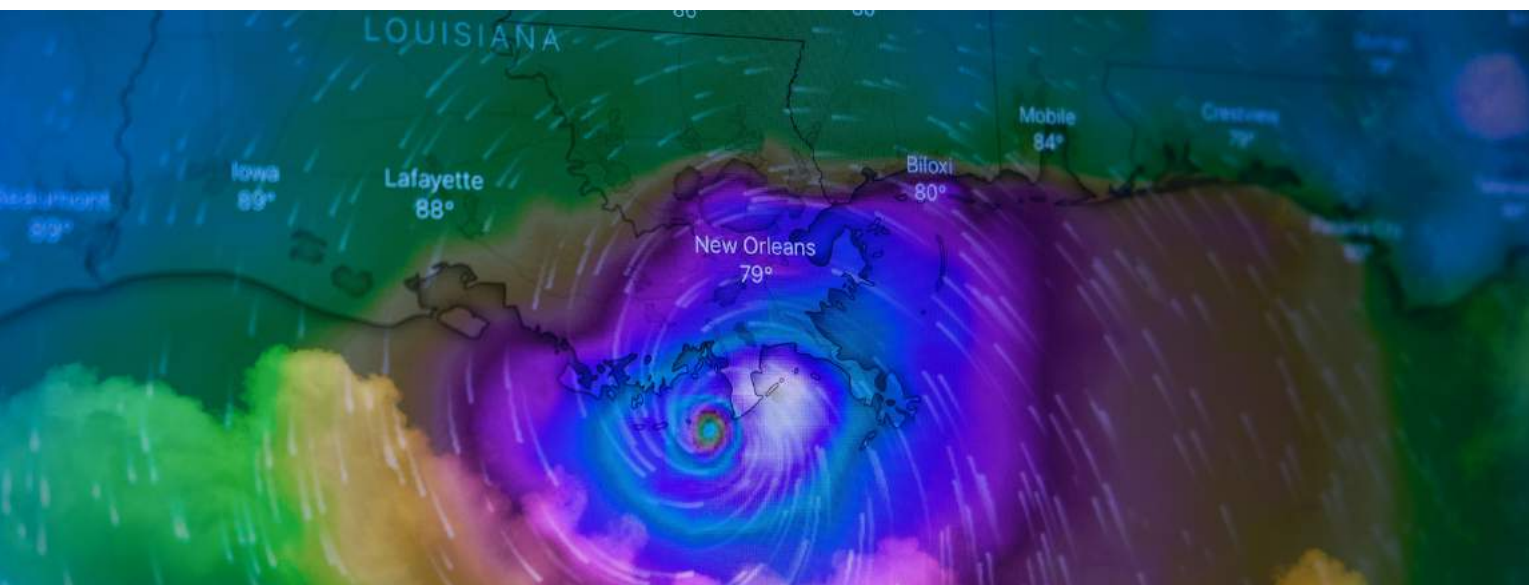
The Attorney General immediately opened an investigation through his Medicaid Fraud Control Unit and the Louisiana Bureau of Investigation, in collaboration with the U.S. Department of Health and Human Services Office of Inspector General. What they discovered was shocking.

Before Hurricane Ida, Dean's nursing facilities had already received poor federal ratings based on health inspections. In fact, six out of his seven establishments had received the lowest possible ratings by Medicare.gov,

while five were noted for poor quality of care. In 1998, Dean came under scrutiny when an 86-year-old woman died in his care after being forced to wait on a bus, without air conditioning, in the heat for hours on end during a transfer from a New Orleans nursing home to a shelter in Baton Rouge in another hurricane evacuation. Even then, fire officials said the shelter wasn't suitable for that purpose.

In 2005, the *Times-Picayune* wrote a series of stories related to neglect in nursing homes and highlighted Dean's establishments, especially one case in which a brain-damaged resident drowned after being left unattended in a whirlpool bath. Another woman in his care had been hospitalized after being swarmed by ants, which had eaten away part of her skin. Yet the commercial developer had never fully been held accountable for any of these incidents; and when he was asked to defend his decisions during Hurricane Ida, he told WVUE-TV: "We only had five deaths within the six days...Normally with 850 people, you'll have a couple a day. So, we did really good on taking care of people."

In reality, Dean had refused to leave the warehouse following the hurricane, then billed Medicaid for dates his residents were not receiving proper care. He also allegedly engaged in conduct intended to intimidate or obstruct public health officials and law enforcement. So on June 22, 2022, AG Jeff Landry's Office arrested Bob Dean and charged him with eight felony counts of Cruelty to Persons with Infirmities, five felony counts of Medicaid Fraud, and two felony counts of Obstruction of Justice.



Who you gonna call?

Natural disasters can bring out the best and worse in a community, especially during the recovery period following hurricanes, tornadoes, and floods. This can be a time for coming together through an outpouring of generosity and support; unfortunately, it can also be a time for fraud. That is why our office has worked diligently over the years not only to protect the vulnerable, but also to hold criminals accountable for their efforts to scam the system.

For example, after disastrous flooding in South Louisiana, our office collaborated with GoFundMe to place additional security measures on donations, ensuring that those funds actually benefited our struggling neighbors, rather than fraudulent individuals or organizations. That same year, we took things one step further by joining federal, state, and local leaders to announce the **National Center for Disaster Fraud (NCDF)** was open and ready to assist.

This NCDF hotline deals exclusively with complaints of disaster fraud to protect our citizens from those who would exploit tragedy for personal gain. Within weeks of our announcement, our office arrested three women of Baton Rouge for stealing much-needed services and resources from our State's most vulnerable, ranging from \$2,000 to \$30,000 in claims for properties they either did not reside in or had not in fact been damaged.

As the Attorney General said: "Disaster assistance, like any form of government aid, is a precious resource reserved for those in need; people who jeopardize these programs by attempting to take advantage of taxpayers will be brought to justice."

If you have knowledge of fraud, waste, abuse, or allegations of mismanagement involving disaster relief operations, please contact the NCDF by phone (1-866-720-5721), email (disaster@leo.gov), or mail to National Center for Disaster Fraud, Baton Rouge, LA 70821).

OIL & NATURAL GAS



Fueling Our Homes and Cars

Biden Scoffs While We Suffer

An Op-Ed by Attorney General Jeff Landry

Joe Biden wants to make you suffer. That is the only explanation that makes sense. He either wants you to suffer or he simply does not care if you do.

Why else would Louisiana be slipping into energy poverty? After all, we account for nearly one-fifth of U.S. refining capacity and can process about 3.2 million barrels of crude oil per day. Our State has the third-highest natural gas production and reserves among the states. And we consistently rank among the top states in both crude oil reserves and crude oil production.

Energy bills, both to power our homes and our cars, are at levels many of us have never seen before. The suppliers and the consumers know spiking rates are being attributed, in large part, to natural gas prices soaring. But as families across our State are being forced to choose between fuel or food, we must consider how we got here.

For decades, the Radical Left has tried forcing their Green Energy Pipe Dream down our throats. They have used all the tricks in the book to silence criticism or opposition, including frivolous lawsuits and government overreach. But no matter the mechanism, these extremists cannot outrun the hard truth.

At the end of President Trump's term, natural gas (which, along with coal, produces the vast majority of our electricity) was at roughly \$2.50 per million BTU. Under Biden, it is now at \$8.60. The explanation? Biden says we are in a "transition" and "God willing, when it's over, we'll be stronger." However, for such a "clean" energy revolution to happen, the DC swamp must face the fact that the manufacturing of wind turbines and solar panels requires natural gas, crude oil, and coal. This difficult truth will not ease the pain families are feeling across our State, but it

shows the direction we are heading.

Not to mention that the minerals required to make batteries for those all-important electric vehicles rely on child labor and diesel to mine. One EV battery requires mining 90,000 pounds of ore, and it takes the energy equivalent of 100 barrels of oil to produce a single battery that can only hold the equivalent of one. Mining pollutes the air and water, while lithium is potentially a reproductive toxin, according to the European Union. And that is just the tip of the iceberg – which is not melting.

It is clear we were better off under the Trump Administration, and now we are awake to the reality of the situation. That is exactly why they are making you suffer now, hoping you will forget the truth that you experienced just two short years ago. They are actively manipulating the market and destroying our energy independence, not out of incompetence but with actual intent to destroy.

Back in 2008, Barack Obama told the *San Francisco Chronicle* that “under my plan...electricity rates would skyrocket.” Joe Biden followed that plan, then blamed Putin when political pressure rose; but blaming the Russian president for your sticker shock at the pump and on your energy bill is like blaming the rooster for the sun coming up.

So I am fighting these illegal and illogical policies that do not benefit our people or our planet. I am fighting for American energy and independence, not only from nations that hate us, but also from this suicide pact Joe Biden is imposing upon us.

I have led two multi-state lawsuits against the Biden Administration’s attack on American energy and joined numerous others. I am working tirelessly to lift Biden’s oil & gas moratorium on federal lands and I will not back down.

After all, the people of Louisiana are scrappy survivors – we are fighters – and we are not going to just shut up and take it, not when we have the necessary natural resources right here at home.

If it ain't broke...

Louisiana has six coal-fired power plants that generate over 6,000 megawatts of low-cost energy for our State. These were already being regulated under a specific section of the Clean Air Act when the Obama Administration decided to create the Clean Power Plan through the EPA in 2015. This plan would have required our power plants to shift to solar and wind alternatives in order to reduce carbon dioxide emissions by 30% from 2005 levels by 2030.

Such an energy “generation shift” from coal to unsustainable renewables would have caused one of the largest utility rate increases on low and middle class consumers in American history. Moreover, it was an unprecedented power grab not only from the states but also from other federal agencies.

In the end, we joined a 24-state coalition arguing before the U.S. Supreme Court that the EPA does not have Congressional authority to compel existing coal power plants to switch to green alternatives. We won with a 6-3 majority, saving our Louisiana industry an estimated \$4 billion in compliance costs.



Environmental Equity

Louisiana ranks as a top producer of both oil and natural gas, but our State is also home to robust chemical and agricultural industries. The so-called “greenhouse gases” which include carbon dioxide, methane, and nitrous oxide, are natural by-products. In fact, our agricultural activities (e.g., soil and waste management) result in roughly 75% of our nitrous oxide emissions, while 27% of methane emissions stem from livestock excretions. However, such gases are also produced by day-to-day activities of our modern world, from the production of electricity to traveling down a highway. We cannot avoid them.

Still, in 2016, the Obama Administration tried to determine the damage value of these gases through the “Social Cost of Carbon,” or the SCC-GHG Estimate. The goal was to capture the damages of climate change in the name of “equity,” then pass that expense to businesses and consumers. Moving forward, federal agencies would be required to use this cost estimate when conducting cost/benefit analysis for any federal regulation. This would have wide ranging impacts on decisions related to everything from power plants and battery chargers to residential air conditioners and microwaves.

Under Obama, the Social Cost of Carbon was based on global damages and estimated at \$51 per metric ton. Under the Trump Administration, the estimate focused on domestic effects, which brought the number down to roughly \$5 per ton. Yet President Biden immediately raised the cost back to \$51, inevitably driving up energy costs while decreasing State revenues from energy production.

That’s why our Attorney General led a coalition of states as we pushed back against this attempt at a government takeover—and we won. A federal judge halted Biden’s Executive Order 13990 and issued a nationwide stop to this undemocratic rule that bypassed our elected representatives while assigning massive costs to every regulatory action. It was a great victory for our energy industries and consumers alike.

Drilling = Jobs

On Day One as President, Joe Biden signed an executive order canceling the Keystone XL pipeline, which would have safely and efficiently transported 830,000 barrels of crude oil each day, feeding Gulf Coast refineries that both employ thousands of workers and indirectly create thousands of additional jobs. It was anticipated to generate over \$2 billion in earnings, providing tens of millions of dollars to state and local governments along its route, including seventeen areas with minority and/or low-income populations. The cross-border permit had been authorized by Congress nearly a decade before, and we were willing to fight for Keystone XL, but...

The developer cut bait.

We immediately sued the Biden Administration as part of a 21-state coalition; but after years of litigation and fighting to protect the project, the Canadian company decided that they'd had enough. While the pipeline would have safely transported affordable and reliable energy to Americans, we simply couldn't convince the developer to keep calm and carry on.

It's Electrifying

Despite 41% of our Nation's electricity being generated from natural gas, access to the resource in certain areas is limited – especially during the winter months, when demand increases for space heating and power generation. To expand access and decrease prices, the Association for American Railroads petitioned the Pipeline and Hazardous Materials Safety Administration (PHMSA) to grant transportation via rail. After extensive evaluation of the situation, PHMSA agreed.

Why? Liquefied Natural Gas (LNG) is neither flammable nor explosive, making it one of the safest ways to transport energy. And rail has been used to transport cryogenic liquids (such as LNG) for more than 80 years, using DOT-113 tank cars that have a strong safety record covering five decades of use. In fact, 99.999% of all hazmat rail cars reach their destination without incident. Furthermore, using rail rather than trucks to transport LNG would result in a decrease in greenhouse gas emissions.

But when Joe Biden took over the White House, the PHMSA reversed course, citing “unreasonable risks” to both the public and environment. They feared that better access to supply would result in an increase in the production of natural gas as well as greenhouse gas emissions (which have been on the decline for years, with emissions from electricity generation decreasing by 33.08%). As a result, a new rule prohibited using rail for LNG transport in the name of “environmental justice.”

That's what we are currently fighting against, leading 23 other states in the battle, at a time when LNG prices have increased by 61% and the average American household is paying at least \$1,000 more in energy costs than they did in 2020. The role of the PHMSA is to regulate transportation – not the extraction, production, or even consumption of natural gas. And when citizens do not have access to our domestic supply, they inevitably choose foreign sources, putting our national security at risk. That is why we must keep fighting for affordable electricity brought to you by the domestic production of natural gas.

Keeping Costs Low

The Louisiana oil & gas industry employs hundreds of thousands of our citizens who then contribute the necessary products that fuel, heat, and light our homes and businesses. Critical tax revenues from the industry are also used, in part, for coastal restoration and hurricane protection projects. That's why an \$1,800 federal tax to be charged to oil & gas producers for every metric ton of methane emissions would hurt our State.

If enacted, analysts predicted that natural gas bills could be 30% higher for consumers on top of an additional cost to the national economy of \$14.4 billion, all while affecting as many as 155,000 jobs. That is why the Attorney General personally wrote to the Senate Committees on Environment & Public Works and Energy & Natural Resources to express his opposition. Our office also joined a coalition of 19 other states fighting against this disastrous "Methane fee" set to begin in 2023.

Louisiana is the second largest industrial user of natural gas in the U.S., accounting for nearly 14% of all consumption. Our State also achieves 70% of its power generation from natural gas. By effectively reducing our supply and driving up prices, this "Build Back Better" tax would absolutely cripple our critical industrial sector while forcing families to divert resources from essential goods and services during the winter months when they need heat the most.

While it's currently being debated by Congress, we remain in the fight against the Methane Emissions Reduction Act in defense of the Louisiana economy and her people.

The Biden Ban

On the campaign trail, then-candidate Joe Biden made a promise to “get rid of fossil fuels.” He doubled down during the March 2020 Democratic Presidential Debate when he boldly proclaimed “no more — no more fracking...no more drilling on federal lands.” Seven days after taking office, on January 27, 2021, he took action on that promise with Executive Order 14008: “Tackling the Climate Crisis at Home and Abroad.” It was a not-even-veiled attempt to kill domestic energy production by imposing a moratorium on all oil and natural gas leasing activities on public lands and offshore waters.

Such lease sales began in 1954 in compliance with two Congressional statutes: the Outer Continental Shelf Lands Act (OCSLA) and the Mineral Leasing Act (MLA). Enacted by Congress more than 70 years ago, OCSLA directs the Secretary of the Interior to make the “outer continental shelf” available for development through a competitive bidding process.

This requires four-steps: (1) create a leasing program outlining the size, timing, and location to best meet national energy needs, (2) hold lease sales, (3) grant or deny permits and plans, and (4) grant or deny final development and production plans. Similarly, the MLA requires lease sales for on-shore energy-producing lands. Both statutes work very closely with affected states and significant portions of the proceeds from these sales go towards environmental defense and restoration projects.

Louisiana, for example, has enjoyed significant environmental benefits from the associated revenue-share program. In fact, our State collected \$156 million from lease sales in 2020, which was dedicated to the Comprehensive Coastal Master Plan for coastal restoration as well as the ongoing recovery from the BP Oil Spill. However, the oil & gas industry plays a key role in Louisiana’s economy, generating substantial tax revenue that directly benefits public education as well as creating thousands of jobs both offshore and on-land. In 2017, the production of

crude oil, natural gas, and refining capacity supported over \$72.8 billion in sales and generated over \$19.2 billion in household earnings for the people of Louisiana. But all of this came to a screeching halt with the Biden Ban on lease sales.

The Obama Administration had already left its mark on the industry in 2016 when it imposed a Five-Year Program to govern oil & gas leasing; however, that change took more than six years to produce. The Biden Ban was created and implemented within weeks, without any consideration for statutory requirements, the public good, proper procedural requirements, or even the potential negative impact such changes would have for the environment. Neither the states or tribes were consulted.

Instead, Joe Biden transformed contradictory campaign rhetoric into an energy moratorium that abandoned middle class jobs, crippled our economy, and made us far more reliant on foreign countries for much-needed fuel required by cars and homes. Not to mention Joe Biden, even as President, did not have the authority to legally halt all lease sales because that power resides with Congress, which had not only made the lands available for use but had also insisted such natural resources be used for our national security.

That's why Attorney General Jeff Landry led a coalition of thirteen other states in the fight against this aggressive, reckless abuse of Presidential power. In the end, a federal judge sided with Landry, granting an historic, nationwide injunction against the Biden Ban. As a direct result of that court battle, Lease Sale 257 was able to take place in 2021, where energy companies bid more than \$198.5 million for drilling rights on 308 tracts covering more than 80 million acres.

This generated more than \$100 million for Louisiana within a year, and protected thousands of jobs along our coast. It also provided funding put towards a \$50 billion coastal recovery and restoration program vital for our State's protection against future tropical storms and hurricanes. It was a major victory for Louisiana, the oil & gas industry, and Americans who rely on affordable domestic energy.



All Risk, No Reward

State and local governments man the front lines of chemical facility accident prevention and response for the benefit of both the environment and surrounding communities; yet at the tail end of the Obama Administration, the EPA rushed through a new Risk Management Program (RMP) that failed to take into account the very serious concerns of the states, as well as the substantial cost of this rule.

Instead of providing a clear chain of command or even concise emergency response protocols, this new program drained, confused, and exposed the very communities it claimed to protect, placing significant and rigid burdens on personnel. All of this greatly increased risk without providing any identifiable benefits, which is why we got involved. First, the Attorney General lead a coalition of 11 states and filed a petition for reconsideration; then our Solicitor General appeared before the U.S. Court of Appeals a year later arguing against the program.

The RMP is still being changed, edited, and debated; but we remain fighting for better rules with stronger coordination and communication to not only save lives but also protect our communities.



PEOPLE

Why Are Taxpayers Subsidizing the Sexualization of Children?

An Op-Ed by Attorney General Jeff Landry

In 1964, Supreme Court Justice Potter Stewart struggled to find the right words to describe pornography. In the end, influenced by his law clerk, he said: “I know it when I see it.” Similar to Stewart, I have struggled to find the right words to describe the new books currently being circulated within the children’s sections of our public libraries and public schools; but I too know pornography when I see it, even when it is thinly disguised as educational material for children.

As someone whose office has made over 800 arrests related to crimes against children – primarily for the production, possession, and/or distribution of sexual abuse images and videos of juveniles – I am completely shocked that such licentious material is being subsidized by the State through our tax dollars.

As I am sure you would agree, a library should be a safe place to learn – a place where a child might develop a lifelong love of reading, discover intellectual passions, and pursue dreams for a fulfilling career. That said, books are abundant, especially today when you can access almost any title online for less than the cost of a cup of coffee or even a pack of gum. The plethora of reading material is so great that the hardest part is determining how to find the knowledge you need in a sea of available information.

Enter the librarian, whose job is to connect readers (especially children) with data that will help them become more informed, more thoughtful, and more productive members of our society. The librarian should link them with useful information that would help them work more efficiently towards solving problems and completing projects. This is why we invest our hard-earned tax dollars into our public libraries and schools: to create the minds that will build our future.

Unfortunately, with the new smut being peddled upon our vulnerable children, we must ask ourselves: what kind of knowledge do we want our kids to engage with? What kind of minds do we wish to feed? And what kind of future do we want Louisiana to have?

Librarians and teachers are neither empowering nor liberating our children by connecting them with books that contain extremely graphic sexual content that is far from age appropriate for young audiences. Instead, they are normalizing and even encouraging behaviors that have regrettably gotten adults addicted to pornography – inevitably leading to lack of intimacy, numbness to experience and connection, or worse. Such shifts in perspective have led addicts towards increasingly violent and criminal sexual desires.

Why would any decent human being want to put the next generation on such a miserable and lonely path through life, chasing sensation at the expense of themselves? And how could that possibly be in the best interests of our children or our State?

The fact that those pushing for such hyper sexualized content are willing to use fear to elicit compliance answers these questions. Whether it is directed at parents or your children – the Radical Left believes fear of judgement, ridicule, and shame is necessary to push through their agenda at the expense of both your tax dollars and your child's passion for any other subject. Such fear kills the very desire for learning that public libraries and schools are supposed to promote.

Is the market for this dangerous content so small, and the value for these books so low, that families must be forced into accepting them to increase popularity? And is this really the best future our school board members, district superintendents, and library supervisors can dream up for our State?

Fellow parents, guardians, and taxpayers: these are the questions I invite you to ask.

Battle of the Bathrooms

The battleground is Title IX, an Education Amendment from 1972, which protects equal opportunity in any educational program or activity that receives federal financial assistance. This set the stage for female athletic programs as we've known them for five decades, and is rooted in the existence of biological sex—not gender identity.

"Dear Colleagues"

In 2016, the Obama Administration sent out a letter stating that American school districts, colleges, and universities must allow transgender students to use bathrooms and locker rooms that match their chosen gender identity, not their biological sex. If they didn't, under Title IX, their federal funding would be pulled. It was policy disguised as law.

Risking 99.9% for 0.01%

AG Jeff Landry and 10 colleagues said "no" — the Obama Administration didn't have the authority to require this, it was based on a misinterpretation of the law, and it was irresponsible to create an environment that risked greater exposure to sexual assault or misconduct for the majority in order to benefit a few. It was stopped.

Then, Governor John Bel Edwards pushed an executive order with a transgender mandate of his own. That too was stopped on legal grounds, as Edwards, like Obama, lacked authority to create laws.

Along Came a Biden

Shortly after issuing EO 13988 directing heads of agencies to seek new rules that prohibit sex discrimination, the Equal Employment Opportunity Commission took on the transgender issue by issuing a new interpretation of Supreme Court Case *Bostock v. Clayton County*. The next day, the Department of Education said this reinterpretation now applied to Title IX.

"Dear Educators"

Students would no longer be able to use sex-specific showers, locker rooms, and restrooms under this guidance (not law). In addition, a letter was sent to schools implying they could be punished by the federal government if they allowed students to address peers by their given name or biological pronouns (which is protected by the 1st Amendment).

The Bostock Problem

The *Bostock* case was limited to firing and hiring employees, specifically refrained from addressing "sex-segregated bathrooms, locker rooms, and dress codes," and had nothing to do with Title IX. Being that there is a very big difference between not firing a man because he identifies as a woman and forcing female coworkers to shower with him or compete against him in contact sports, AG Jeff Landry and 20 of his fellow attorneys general objected to this federal overreach and were able to stop this action from being enforced while the lawsuit proceeds.

Biden's Moon Shot:

Go Woke or Starve

An Op-Ed by Attorney General Jeff Landry

Sixty years ago, President John F. Kennedy pledged to put a man on the moon. It was an ambitious goal that defined an era and inspired American children to dream of what the future might hold. It asked them to consider what they might create, build and aspire to accomplish as Americans. But the times, as they say, are a changin'.

Today, Joe Biden has made a pledge of his own: to put a man in a woman's bathroom. Oh yes, with inflation at 9.1 percent, natural gas and oil prices soaring, and crime at an all-time high, this is the great vision of Biden's America—one that promises to have the complete opposite effect of Kennedy's famous speech from 1961.

Instead of inspiring children across America, the Biden Administration has decided to threaten the very food they need to dream, learn and build the future of our country. Through its United States Department of Agriculture (USDA), which has decided that it can suddenly interpret the law on its own and make completely new rules without input or debate, the Biden Administration is now holding school lunches hostage – that is \$448 million in federal funding for school food programs – until his woke agenda meets absolute compliance.

This means that with the stroke of a bureaucratic pen, Biden's USDA is telling nearly half a million Louisiana students who depend on SNAP to survive that they must bend a knee to preferred pronouns, boys in girls' sports, and never-ending restroom politics or they do not get to eat.

These are children from low-income families who depend heavily on the nutrition provided by the breakfast and lunch options offered through their schools with the help of federal funding. These are the children who need that fuel the most and who often must dream the hardest in order to build new lives for themselves through pure determination.

Wasn't that the purpose of SNAP to begin with? To raise the levels of nutrition among low-income households? To strengthen the Nation's agricultural economy? Alleviate malnutrition and hunger? Now Biden is threatening hunger if schools do not play ball. What a turn of events!

The fact is only Congress can make laws, and the Biden Administration cannot simply steal food out of the mouths of our children to serve a radical agenda by force. That is why I have joined 22 Attorneys General across our Nation to sue the Biden Administration and its USDA. They are playing legal chicken, hoping we will blink first so they can force their sexual word games on our children; and they are so desperate to do it, they will tell your child she cannot have food unless she plays along.

I will not cower to crazy. Earlier this month, I got a legal victory over Biden in a similar case. A federal judge agreed with me and my colleagues to halt Biden's Department of Education and Equal Employment Opportunity Commission from their attempt to force schools to allow males to compete on female sports teams, to prohibit sex-separated showers and locker rooms, and to compel individuals to use biologically-inaccurate preferred pronouns. I expect a similar result in my latest lawsuit, and I will not rest until we win again. Louisiana's future is too important.

Without opposition, Biden's latest attempt at sleight-of-hand could affect nearly 30 million American children a day, based on a flawed understanding of the laws on the books and unlawful directives that failed to follow necessary procedure. But that is all this Administration has: telling lies and hoping you never go looking for the truth.

It may not be rocket science, but it sure does stink.

Push back

The Charter School Program was funded by Congress with the intent to fuel innovation in public education. It also gave parents the choice between an underperforming school and a higher-quality education for their children. By having this competition within school districts, the goal was to raise the standards of America's school system as a whole; however, the Biden Administration pushed for significant changes to this model.

Instead of competition to raise standards, the President proposed locking the charter school program into partnership with underperforming schools, which would effectively keep standards low and give existing public schools the ability to veto the creation of a charter school in their area. In addition, no student could choose a charter school until all empty desks at struggling schools were first filled, meaning that parents could not choose a higher-quality education for their child as long as availability remained at a lower-quality one. Finally, the Biden White House added so many burdensome regulations to the grant process, he ultimately disincentivized the entire program, which would equate to fewer charter schools in general.

That's why Attorney General Jeff Landry quickly added Louisiana to a coalition of twelve other states, signing a letter to the Biden Administration that pushed back against this deeply flawed endeavor. In combination with parents, educators, and advocates standing up for charter schools, Joe Biden and his team quickly abandoned the plan, making it a victory for students across Louisiana.



Lifesmarts

Attorney General Jeff Landry believes that it is important for students to prepare themselves for life after high school, which is why he hosts the annual LifeSmarts Louisiana Competition. This annual event is a quiz bowl competition that tests students on five topics: personal finances, health and safety, the environment, technology, and consumer rights and responsibilities. This free, consumer education-focused competition helps prepare 6th through 12th grade students for entering the real world as smart and educated young adults.

Protecting Parents

The U.S. Supreme Court has clearly and unequivocally held that parents have constitutionally-protected rights to advocate about and to direct the education of their children. As noted by this Court over the years, “the liberty of parents and guardians to direct the upbringing and education of children under their control” is “an enduring American tradition” and fundamental right protected by the Due Process Clause of the Fourteenth Amendment.

Similarly, the U.S. Department of Education Organization Act’s preamble states that “parents have the primary responsibility for the education of their children, and states, localities, and private institutions have the primary responsibility for supporting that parental role.” The federal government does not have any such role.

In the case of school board meetings, these are designated forums “intentionally opened for public discourse.” Parents have a clearly established First Amendment right to “effectively participate in” these meetings and express their opinions on issues related to their children’s education.

Yet on September 29, 2021, after a series of heated discussions at school board meetings nationwide, the National School Board Association (NSBA) sent a letter to the Biden Administration referring to parental protests against the critical race theory curriculum as “domestic terrorism.” The NSBA also called on the President to invoke the Patriot Act, arguing that as “acts of malice, violence, and threats against public school officials have increased, the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes.” They failed to cite a single case as evidence (because there were none).

In response, U.S. Attorney General Merrick Garland issued a memo on October 4, 2021, on the “disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff.” He then called for the FBI and other federal law enforcement agencies to monitor the activities in school districts nationwide, ultimately putting parents under surveillance.

When pressed for a single example of parental violence during his October 21st testimony before the U.S. House Judiciary Committee, Garland emphasized that it was the “NSBA, which represents thousands of school boards and school board members” who claimed “that there are these kinds of threats.”

Shortly after that testimony, more than half of the NSBA’s state affiliates distanced themselves from the national group, some even pulling dues and membership. This compelled the organization to apologize for their “language”—yet Garland did not rescind the memo.

That is why AG Jeff Landry and thirteen of his colleagues sent a letter demanding that Garland do so. They also made a Freedom of Information request to produce all communications of any federal officials or agencies related to the September 29th NSBA letter. Six months later, a response was never given. This then prompted a lawsuit, which is ongoing. At the time of this writing, Garland has still not rescinded his memo; and we have not let up.

An engraving of Thomas Paine, a man with curly hair, wearing a dark coat and a white cravat. He is holding a book titled "Common Sense" in his left hand and has his right hand resting on his chin in a thoughtful pose. The background is a light blue oval.

**IT IS AN AFFRONT TO
TREAT FALSEHOOD
WITH COMPLAISANCE.**

Thomas Paine

Ka'Mauri Harrison & JPSB

Nine year old Ka'Mauri Harrison was focused on completing his make-up test; but he wasn't in his fourth grade class room at Woodmere Elementary. Instead, he was in the bedroom he shared with his younger brother. School, at least how he had come to know it during the COVID-19 pandemic, was on Zoom. In this case, he and his teacher could both see each other but had muted Zoom for silence during the exam. He had even turned the volume off on his computer so as not to be disturbed.

But Ka'Mauri was disturbed when his younger brother entered their bedroom and tripped over their Daisy BB gun. Instinctively, Ka'Mauri rose from his seat, picked up the BB gun, placed it near his chair (and away from his brother), then returned to his test. Unfortunately, he'd soon be disconnected from Zoom due to Internet connectivity issues; but nothing seemed to be out of the ordinary, at least not in comparison to daily life at their home.

His teacher, on the other hand, couldn't believe her eyes. From her perspective she thought she'd witnessed the boy get up from his exam, collect a full-sized rifle, then place it in full view of the camera. She'd even unmuted herself on Zoom and called out to Ka'Mauri several times, trying to understand what was happening—but no response then a disconnection. She immediately called the Principal.

When Ka'Mauri's parents were contacted, they were told that their son had been accused of bringing a firearm to school—an offense that merited mandatory expulsion. However, a BB gun neither qualifies as a firearm under state law nor counts as a federally banned weapon; and Ka'Mauri never brought it on campus. The Jefferson Parish School Board (JPSB) nevertheless insisted that “when you are involved in a lesson online...it really is an extension of the classroom.” After a hearing, the expulsion was downgraded to a six-day suspension; but the charge of bringing a firearm to school would remain on Ka'Mauri's permanent record. The family sought an appeal. Their request was denied.

That's when AG Jeff Landry got involved, sending a letter to the school board outlining their legal counsel's misreading of the plain text law, which clearly stated that Ka'Mauri (and two other students in similar predicaments) had the right to an appeal. Again, JPSB denied the request. So, the Attorney General collaborated with the Legislature to further clarify existing law and specifically address cases in which students "have been expelled or suspended for doing what would be considered normal at home" in the age of virtual learning. HB 83 (the Ka'Mauri Harrison Act) also required policies be developed for students and teachers in a virtual environment, established a clear separation between school and home settings, and provided a path for students and their families to appeal certain disciplinary actions.

Despite opposition by JPSB, Act 48 was unanimously passed by every legislator then signed into law on November 6, 2020 by the Governor. It was the first law of its kind in the Nation to address the needs and requirements of students learning online, making it a huge victory for our State. As for Ka'Mauri himself, JPSB eventually settled with the family, setting a precedent that will protect other students in the future.



GUN RIGHTS



**SECOND
AMENDMENT**

The Right to Self-Defense

Concealed carry permit holders are among the most law-abiding members of our society. In fact, those who engage in lawful and licensed concealed carry are not only less likely to be involved in criminal activity themselves, but their presence also deters others from engaging in violent crime.

However, it cannot be overlooked that those who legally carry firearms outside of their home do so for self-defense, which as Supreme Court Justices Thomas and Gorsuch have written, “has to take place wherever the person happens to be.”

That is why AG Jeff Landry, along with 23 other state attorneys general, voiced support for the Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446) and the Concealed Carry Reciprocity Act of 2017 (H.R. 38), which would allow law-abiding citizens to carry concealed weapons in states where they do not reside. As it stands now, states that do not allow non-residents to carry concealed weapons leave these citizens in danger and with no real option for self-defense in instances of gun violence.

But as a result of these combined efforts to give the Second Amendment its full import, on December 6, 2017, the Constitutional Concealed Carry Reciprocity Act passed in the U.S. House and was introduced to the U.S. Senate Committee on the Judiciary. Hearings were held on May 2, 2021.

These bills would not allow for carrying firearms by felons, those involuntarily committed to mental health facilities, and other persons prohibited by federal law from possessing or receiving firearms. Instead, they support federal and state policies that preserve the rights of millions of law-abiding citizens across the country with the goal of decreasing the risk of crime and promoting public safety. That is why we remain in the fight to see it passed.

2nd Amendment Cases Part One:

California & Magazines

The right to keep and bear arms implies a corresponding right to obtain the bullets necessary to use them, meaning there is no legal distinction between firearms and ammunition. Therefore, banning magazines carrying more than ten rounds of ammunition violates the Second Amendment and is unconstitutional.

That was AG Jeff Landry's argument when he and Arizona AG Mark Brnovich led a 22-state coalition urging the U.S. Supreme Court to defend the Second Amendment rights of American citizens in the face of California's unconstitutional ban on standard ten plus capacity magazines. This CA law had the potential to affect millions of guns across the country, even in Louisiana, ultimately banning the most popular handguns used by law-abiding citizens to protect hearth and home. By banning the mere possession of these magazines, California was ultimately banning the use of those guns, even for self-defense.

But the essential question our Attorney General and others posed was this: has California banned arms commonly used by law-abiding citizens for lawful purposes? If so, the government of CA had violated the Second Amendment. And while state legislatures have broad discretion in crafting policy, those policies cannot be in conflict with the text of the U.S. Constitution. Furthermore, there should be a clear line that the government cannot cross when regulating "arms," as opposed to a cost-benefit analysis or balancing test vulnerable to the subjective assessments of future judges, however wise and well-meaning.

The Supreme Court agreed, and the ban at the center of *Duncan v. Becerra* was sent back to the lower courts, who were instructed to strictly follow the new rules for deciding Second Amendment cases as outlined in the *Bruen* decision.

2nd Amendment Cases Part Two:

New Jersey & Balancing Tests

California was not the only state engaged in limiting magazine capacities. New Jersey was also working to criminalize the possession of commonly-used firearms, even in the home for self-defense. Similar to *Duncan v. Becerra*, what was to be known as *New Jersey Rifle Pistol v. Grewal* focused on core issues related to the Second Amendment; but after the ban was upheld by the U.S. Court of Appeals for the Third Circuit, the appeal to the U.S. Supreme Court also highlighted the failures of subjective balancing tests, which the High Court had specifically rejected in previous cases.

So once again, AG Jeff Landry and 22 other attorneys general got involved, asking the Supreme Court to reverse the Third Circuit's decision and affirm that balancing tests, or subjective measures to determine if the benefits outweigh the burden, should be rejected in favor of a simple test rooted in the Second Amendment's text, history, and tradition. In doing so, the Supreme Court might resolve fractures within the legal system, through which the lower courts had ultimately created a patchwork quilt of gun regulations across the country. It also brought up the distinction between states that have objective "shall-issue" permit regimes versus the far less popular "may-issue" permit systems — which are highly subjective tests that are not rooted in objective fact.

For example, 42 states employ objective permit regimes that allow a permit to any individual who meets a certain set of objective criteria, like fingerprinting, a background check, a mental health records check, and training in firearms handling and/or laws regarding the use of force. These are known as "shall-issue" regimes and have set the national standard in improving public safety.

On the other hand, there are "may-issue" permit regimes, such as the

subjective-issue for handgun carry permits in New Jersey, which demand all of the same objective criteria in addition to highly subjective requirements. More specifically, to lawfully carry a firearm outside of the home in New Jersey, you would need to provide a sworn statement detailing evidence of a surprise attack you plan to face in the immediate future - and even then, such a statement may not be accepted if it does not meet the subjective satisfaction of the chief police officer in your area.

Once again, the Supreme Court sent the issue back to the lower courts, who were instructed to strictly follow the new rules for deciding Second Amendment cases as outlined in the *Bruen* decision.

2nd Amendment Cases Part Three:

Hawaii & May-Issue

Similar to New Jersey, Hawaii utilized a subjective “may-issue” permit regime. In the case of George Young, who wished to carry a firearm for personal self-defense, his application was denied twice by the County of Hawaii’s Chief of Police, Harry Kubojiri, citing that Young failed to satisfy the requirements set forth in Section 134-9 of the Hawaii Revised Statutes. In other words, he did not meet the exceptions required to carry a loaded handgun in public, either concealed or openly.

To do so, he would need reason to fear injury to his person or property; but because Young could not demonstrate this “urgency or need,” he was denied a permit. As a result, Young could only transport an unloaded firearm in an enclosed container to and from a place of repair, a target range, a licensed dealer, a firearms exhibit, a hunting ground, or a police station. Furthermore, he could only use that firearm while actively engaged in hunting or target shooting. Using it for self-defense outside of his place of business, residence, or sojourn was not allowed.

So Young filed suit in 2012, alleging that this violated his Second Amendment rights. The case was dismissed, then appealed at the district court level. The three-judge panel agreed with Young and reversed the original dismissal. The State of Hawaii then took it an even higher court, who dismissed it again in 2021.

That's when AG Jeff Landry and other attorneys general got involved, petitioning the U.S. Supreme Court to protect Young's Second Amendment right. In time, the High Court granted Young's petition, sent it back down to the lower court, and again outlined how such cases should be determined based on the binding precedent set forth in *Bruen*.

In other words, Hawaii's "may-issue" permitting scheme violated Young's Second Amendment right, while Section 134-9 violated his Fourteenth Amendment right; therefore, the entire scheme was unconstitutional. A law-abiding citizen does not need to demonstrate a special need to exercise his or her constitutional rights—period.



2nd Amendment Cases Part Four:

New York & Bruen

The entire situation came to a head with *New York Rifle & Pistol v. Bruen*. The U.S. Supreme Court had not decided a major Second Amendment case since *District of Columbia v. Heller* eleven years earlier, and this would affect all of the aforementioned cases in one broad sweep. Yet while *Heller* had confirmed that every American has the right to protect themselves within the home, *Bruen* would finally address the right to self-defense outside of it.

To set the scene, New York City had adopted the same “may-issue” schemes as Hawaii and New Jersey. As a gun-owning New Yorker, you could only remove your firearm from your home to practice at a range in the city or, with authorization from the city’s police department, to hunt in the State. And even then, the gun had to be unloaded, in a locked container, and with the ammunition carried separately. You could not leave the City or the State with your firearm, nor could you travel through the State with one, making it impossible to travel to and from six states on public roadways with a legal firearm, even if it was unloaded and locked away.

This licensing scheme applied to millions of people and regulated tens of thousands of guns, ultimately criminalizing travel with a securely stored firearm. Not only did this inhibit self-defense, it also directly affected hunters and those engaged in the Olympic sport of shooting. As a result, this ordinance restricted individuals in New York City and throughout the U.S. from traveling with their rights intact.

To be clear, there is nothing in the language of the Second Amendment that limits citizens to “keeping and bearing arms” only within their homes, nor is that sort of limitation consistent with historical precedent. In terms of self-defense, violent crime remains a serious concern for

most Americans and the defensive use of guns by crime victims is both common and valuable. The U.S. Office of Justice reports that 17-22% of violent crime occurs in the home, which means that 78-83% occurs outside of it. In the case of carjackings, 90% involve the use of weapons. And numerous studies have shown that victims who possess a gun for self-defense are far less likely to be injured, raped, or killed when attacked.

Americans also continue to value hunting as a self-reliant and meaningful means of providing sustenance and a livelihood for their families. Moreover, wildlife tourism, which includes hunting, practicing, and competitive shooting, is a multibillion-dollar industry in the U.S., bringing in \$5.3 billion in tax revenue for the Gulf States. In Louisiana alone, more than 277,000 hunters visit our State each year, spending \$2 billion annually on wildlife tourism which creates more than 82,000 jobs and fills our State's coffers with over \$200 million in tax revenues. For all of these reasons, AG Jeff Landry led a 24-state coalition asking the Supreme Court to reject New York City's extreme gun restrictions, as well as address the multitude of conflicting lower court opinions regarding firearms regulations.

In a 6-3 ruling, that's exactly what the U.S. Supreme Court did, not only striking down New York's concealed-carry law but also making clear that the Second Amendment's guarantee of a right to "keep and bear arms" protects the right to carry a handgun outside of the home for self-defense. The ruling also specified that the courts, moving forward, should uphold gun restrictions only if there is a tradition of such a regulation in U.S. history—which ultimately struck down the efforts of Hawaii, New Jersey, and California to limit gun possession and use. And finally, subjective balancing tests were completely and definitively rejected.

This decision was a major win for gun owners across the country; and while these four states continue in their efforts to separate Americans from their fundamental rights, we will not stop fighting to protect them.



Corporate Collusion

The Second Amendment is not only a fundamental right, but it is also a fundamental American value. Unfortunately, for some large corporations, it is also an obstacle to a desired social outcome. That is why, with the support of fervent activists, transnational collusion has taken place to create a Merchant Category Code for processing firearms purchases from gun stores.

The code itself will do nothing to improve public safety. It won't even differentiate between the purchase of a gun safe and a firearm. It will, however, create "lists of gun buyers" that can be leaked, discovered, hacked, or otherwise obtained or misused by those who oppose Americans exercising their rights.

That is why AG Jeff Landry and 19 of his colleagues wrote to the CEOs of American Express, Mastercard, and Visa in strict opposition. This proposed code undermines the constitutional rights of our citizens, potentially violates consumer protection and antitrust laws, and is an abuse of market power, with corporate boardrooms attempting to dictate policy that should be made by our legislative branch. Stay tuned.

RELIGIOUS LIBERTIES



Legislative Invocation

Since the founding of our Republic, if not early colonial times, the tradition of offering prayer at the beginning of legislative sessions has been used to invoke Divine guidance and remind lawmakers to transcend their petty differences while attending to public business. The Founders viewed such prayers as an acknowledgement of religion's role in our society—not favoring one specific creed over another, but honoring universal values shared at the heart of nearly all religions: peace, wisdom, and justice. These guiding themes exist within our founding documents as well as our laws, while acts of prayer remain deeply embedded in our Nation's history.

Prayers led by lawmakers at local, state, and national levels are constitutionally permissible and should be neutral in terms of religious creed. In practice, they are generally solemn, respectful, and reflective with the common goal of doing good for our communities and society as a whole.

Yet one individual in Jackson, Michigan believed such generic prayers to a higher power were not only deeply offensive but also unconstitutional, despite our Nation's long history of this tradition. A self-proclaimed Pagan and Animist, the plaintiff argued that he was being "forced to worship Jesus Christ in order to participate in the business of County Government." As a result, he decided to sue the Jackson County Board of Commissioners.

His case was eventually brought before the U.S. Court of Appeals for the Sixth Circuit; and soon thereafter, AG Jeff Landry and 21 other attorneys general filed an amicus brief in support of preserving religious freedom in Jackson County while also highlighting that the Supreme Court has twice approved the practice of legislative prayer. After hearing both sides of the argument, the Sixth Circuit disagreed with the plaintiff and ruled 9-6 in favor of Jackson County, making this a win for preserving religious freedom across our Nation.

Prayer in School

Despite court ruling after court ruling affirming our constitutional rights to freedom of speech and expression, there remains confusion on the practical application of those rights in public schools; which is why Attorney General Jeff Landry and Congressman Mike Johnson released the *Louisiana Student Rights Review*. The goal with this publication was to answer frequently asked questions, address common misconceptions, and offer guidance to students, teachers, and administrators on the issue of prayer in schools.

Our Constitution makes it very clear: students do not have to surrender their First Amendment rights at the school house door. This has been repeatedly affirmed by the U.S. Supreme Court over the past century. Yet many have been led to believe that our elementary and secondary schools must be “religious-free” zones. To the contrary, religious liberty was the very first freedom listed in the Bill of Rights, and both federal and state laws specifically protect religious expression in public schools.

To read the full document and gain a deeper understanding of your fundamental rights and how they are protected at school, visit www.AGJeffLandry.com/StudentRights.



Defending Religious Liberties

In 1965, President Lyndon B. Johnson enacted nondiscrimination requirements on federal government contractors and subcontractors. In 2002, President George W. Bush amended these requirements to exempt religious organizations from certain nondiscrimination requirements—without explaining how to qualify for exemptions.

A new rule would be needed to make “clear that religious organizations are not disfavored in government contracting and that they need not decide between following their religion and contracting with the federal government.”

The U.S. Department of Labor under the Trump Administration issued such a rule, designed specifically to protect religious belief, practice, and expression in the federal contracting process. However, when the Biden Administration transitioned into power, it refused to defend this rule from legal attacks; so AG Jeff Landry got involved.

In joining a coalition of twelve states, our Attorney General and his colleagues chose to protect the religious liberties of federal contractors, believing that such freedoms are indispensable American values. Moreover, federal contracts play a vital role in our economy and contractors should not be forced to choose between their profession and their faith.

For Louisiana alone, the federal government awarded nearly \$4 billion across nearly 33,000 contracts in the fiscal year 2020. It is possible that such contractors and potential contractors will leave the contracting pool if they cannot have both the work and the ability to follow their religious beliefs. Such decisions will likely cost Louisiana, and other states, much-needed revenues while increasing expenditures.

And that is why we remain in this fight, not only for the freedoms of the individual, but also for the economic development such work brings to our State.



Houses of Worship

As other states began to reopen towards the end of the COVID-19 pandemic, Governor John Bel Edwards had yet to make proactive moves in that direction. So AG Jeff Landry wrote to him outlining ways that churches and houses of worship could finally start that process, citing that many faith-based congregations were ready to finally open their doors.

One month later...

The Governor finally agreed and allowed churches to reopen their doors to congregations across our State, following many of the guidelines set forth in our Attorney General's initial letter.

PRO-LIFE



Protecting Women

There is no gentle way to discuss this topic; but in order to fully understand the situation, our fight to stop it, and the magnitude of our recent victory with *Dobbs v. Jackson Women's Organization*, we must cover truly horrible truths. If we do not, we risk having them continue under the cover of feel-good language that fails to express the reality.

Many of you have heard the argument that abortion is healthcare or that butchers like Kermit Gosnell are lone bad apples in a bushel of caring souls. On the other hand, you may be unfamiliar with Gosnell and his "house of horrors" because the media barely covered the atrocities found in his 'Women's Medical Society' clinic. Unfortunately, many of the same patterns found in Pennsylvania existed here in Louisiana. In fact, Leroy Brinkley, who owned one of the clinics where Gosnell operated, also owned the Delta Clinic of Baton Rouge and Women's Health Care Center in New Orleans. At one time, he also employed Gosnell accomplice Eileen O'Neill at the Delta Clinic.

But in both Louisiana and Pennsylvania, desperate women went to these clinics hoping for healthcare. Instead, they were met with rusty and unsterile equipment, botched abortions, perforated uteruses, extreme blood loss, and emergency hysterectomies. Staff failed to monitor vitals; and when uterine arteries were shredded or torn, drugs were not on hand to stop the bleeding while ambulances were seldom called. In some cases, women were left to bleed out for hours before help was even offered.

Annual inspections by the Louisiana Department of Health found single-use IV bags being reused, vaginal probes that had not been properly sanitized between uses, and pre-filled syringes of drugs leaking into Ziplock bags. In one clinic, surgical instruments had not been sterilized over the course of 46 different abortions. Yet much of this was allowed to continue behind a veil of secrecy, while clinics abused the courts to seal evidence of their malpractice.

All of this and more was documented in our extensive report *Protecting Louisiana Women: How Louisiana's Abortion Industry Puts Women & Girls at Risk*. It can be found at www.AGJeffLandry.com/ProtectingWomen.

In the meantime, let us walk through our fight to end this horrific treatment of women and girls across our State, as well as protect our most vulnerable citizens: the unborn and recently born. Only then can we fully understand the importance of *Dobbs* to not just Louisiana but all women and children across this country.

Protecting Minors

Before the *Dobbs* ruling, Louisiana's abortion clinics had a disturbing pattern of failing to report rape. In fact, a survey revealed that between 2013 and 2018, at least 66 abortions were performed on girls 11, 12, or 13 years old. These ages indicate that the girls were potentially survivors of rape, yet none were reported.

Even worse, in 2011, an undercover investigation by Live Action revealed the abortion industry's willingness to also cover up the sex trafficking of underage girls. Unfortunately, such patterns appear to have been all-too-common in the handful of abortion clinics once operating in Louisiana.

For example, Delta Clinic of Baton Rouge was cited on multiple occasions for non-compliance with mandatory reporting requirements meant to protect young girls. Workers admitted they didn't ask or record information about fathers, not even in the case of young girls who may have been victims of rape or incest. It was also discovered that the clinic used pre-printed information forms that already listed the father as "unknown."

Similar documentation issues plagued Bossier Medical Suite as well, which closed its doors after the clinic was cited for failing to report the forcible rape of a minor girl. Perhaps unsurprisingly, the clinic identified a terminally ill man as its records custodian, then destroyed all of its

medical records, including those of girls 16 and under who had obtained abortions.

However, it wasn't just clinics that failed to protect young girls. In compliance with pre-*Dobbs* law, Louisiana created a process by which girls could seek approval for an abortion from a judge rather than their parents. But instead of seeking out a local judge within their parish of residence, minors were overwhelmingly seeking judicial authorization within the parish of their chosen abortion clinic, apparently because the judges were viewed as more abortion-friendly. To put this into perspective, 75% of the judicial bypass cases for a single attorney in New Orleans involved minors who did not live in Orleans Parish.

That's why the Louisiana Legislature passed Act 492, which generally required judicial bypass applications to be heard by a judge in the minor's parish of residence. Of course, a pro-abortion advocacy group soon challenged the constitutionality of the law. However, AG Jeff Landry and Solicitor General Liz Murrill quickly defeated this challenge in the district court and again at the Louisiana First Circuit Court of Appeal.



Upholding Basic Safety Standards

Act 620, or Louisiana's Unsafe Abortion Protection Act, was viewed by many as a reasonable, common-sense safety measure that required basic health and safety standards for abortion facilities. It passed 88-5 in the Louisiana House of Representatives and 34-3 in the Louisiana Senate.

Consider this: anyone who has outpatient surgery would expect their doctor to admit them to a hospital in the event of complications. Women seeking abortions, with the risk of hemorrhage and sepsis, should have the same assurance of prompt care. That was the premise of Act 620: an abortionist must have admitting privileges at a hospital less than 30 miles from his abortion clinic in case of life-threatening complications.

Regrettably, the problem Act 620 addressed was all too real. The history of abortion providers in Louisiana is littered with examples of malpractice, substandard care, and disciplinary actions that have put Louisiana's women and girls at risk. Moreover, there have been multiple cases of abortion providers losing their staff privileges at medical facilities due to malpractice, incompetence, the abuse of controlled substances, and even the deaths of patients. Yet two Louisiana abortionists in particular highlight the need for Act 620.

First, there is James DeGuerce, who at various times worked for June Medical in Shreveport, Bossier City Medical Clinic in Bossier City, and Delta Clinic in Baton Rouge. According to court records, one of his patients claimed she had been bleeding profusely for hours before the clinic staff sent her to the hospital. Even then, no one at the clinic called an ambulance; nor did DeGuerce offer any assistance. Instead, the woman was helped into her husband's truck by a staff member. When she finally arrived at a hospital, it was discovered that her uterus had been punctured and arteries had been torn during the abortion. She had no other option but an emergency hysterectomy.

Then there is A. James Whitmore, III who worked for Delta Clinic in

Baton Rouge. He had already been brought before the state medical board amid allegations that he used unsterile and rusty instruments during abortions.

According to court records, one of his patients experienced prolonged bleeding for three hours before an ambulance was called. When she finally arrived at the hospital, it was discovered that her uterus had been perforated and a uterine artery lacerated. She also required emergency surgery for a complete hysterectomy.

Faced with stories such as these, it was the view of AG Jeff Landry and our Solicitor General that Louisiana's incompetent and unsafe abortion providers should not be permitted to challenge the health and safety standards that our duly-elected Legislature enacted to protect women from these very same providers.

At the very least, women seeking abortions should have the assurance of prompt and proper care in the event of complications, trusting that her doctor will ensure she is admitted to a hospital rather than abandon her at an E.R. But in order to do this, an abortionist would need admitting privileges at a nearby hospital.

Thirty-two non-partisan medical associations agreed that admitting privileges are a legitimate medical standard; yet this supposedly simple requirement resulted in a bitter legal battle that made it all the way to the U.S. Supreme Court, with the abortion industry arguing that admitting privileges are medically-unnecessary burdens.

In fact, June Medical filed a legal challenge seeking to invalidate nearly every one of Louisiana's health and safety requirements related to abortion including informed consent, reporting of accurate data on complications, compliance with a sanitary code, and the requirement that abortion clinic medical staff meet basic qualifications for competency.

Unsurprisingly, we fought back.



Solicitor General Liz Murrill presented our oral argument at the U.S. Supreme Court. She outlined that Louisiana abortion providers have a record of non-compliance with basic safety regulations, making clear that the industry now desired a special exemption from generally-accepted medical standards that apply to similar surgical procedures in our State. It was a compelling argument; but the High Court overruled the U.S. Court of Appeals for the Fifth Circuit in a devastating 5-4 decision.

Then, in an unexpected plot twist, the very same language used in the decision by Chief Justice John Roberts and other Supreme Court Justices in the *June Medical v. Russo* case paved the way for success with *Dobbs*, ultimately setting the precedent that would result in the take down of both *Roe v. Wade* and *Planned Parenthood v. Casey*. And now that *Dobbs* is the law of the land, Louisiana can enforce our admitting privileges law of Act 620. That makes this an unexpected win for the people of Louisiana.

Ensuring Competency

Admitting privileges aside, Louisiana's abortion clinics have also been known for their atrocious hiring practices. June Medical Services, for example, had an "operating room technician" who had no medical experience or training. Instead, she had previously been employed by a restaurant as well as a portrait studio in a department store. The Shreveport clinic also hired an abortionist who had spent years working in a strip-mall beauty salon before obtaining a degree from a Caribbean medical school. And both Delta Women's Clinic of Baton Rouge and Women's Healthcare Center in New Orleans hired Dr. Kevin Work to perform abortions when he was clearly unqualified to do so.

While Work was in fact a doctor, his medical license had been suspended four times for prescribing legally controlled substances without legitimate medical justification and allowing unlicensed clinic personnel to evaluate patients, provide prenatal care, and use his signature for visit notes and prescriptions. One nurse apparently had even given a patient an abortion pill when her appointment had been for an ultrasound, costing the woman her child at sixteen weeks.

To restore his license, Work was required to earn Continuing Medical Education credits and successfully pass a written examination for Board Certification in Basic Obstetrics and Gynecology. The Louisiana State Board of Medical Examiners (LSBME) decreed that if Work could not complete these requirements within three years, he would be forced to surrender his medical license.

Instead of doing that, Work petitioned the LSBME to reinstate his medical license but only within the limited scope of wound care. This was granted on a probationary period of two years, during which time he was not allowed to work as a solo practitioner. Yet he apparently continued to perform abortion procedures at the aforementioned clinics, in direct violation of his probation and with patients having no idea that he was unqualified to do so.

As AG Jeff Landry pointed out in a February 2019 letter to the Governor, “abortion clinics and providers offer little public information regarding who the providers are or their qualifications. Consequently, women have little ability to research an abortion provider’s disciplinary, malpractice, and criminal history. That lack of information heightens public reliance on the LSBME and the Louisiana Department of Health.”

The fear, however, was that such trust in our institutions had been misplaced. That is why the Attorney General wanted direct confirmation that Louisiana’s licensing laws were being fully enforced and that the LSBME was performing its duties, as Work’s case gave strong reason to be concerned about the inadequate oversight of abortion clinics within the State. In response, the LSBME immediately suspended the medical license of Work.



Banning Dismemberment Abortions

It started with Alabama Act 2016-397, which banned dismemberment abortions. As U.S. Supreme Court Justice Clarence Thomas would later state, “Dismembering a child alive is - in respondents’ words - ‘the most commonly used second-trimester abortion method,’ and it ‘accounts for 99% of abortions in the State from [15 weeks] onwards.’ Put differently, the more developed the child, the more likely an abortion will involve dismembering it.”

To be clear, this means that an unborn child would bleed to death in the womb as it is torn limb from limb, “extracted one piece at a time from the uterus through use of clamps, grasping forceps, tongs, scissors, or similar instruments” to “slice, crush, or grasp...a portion of the unborn child’s body to cut or rip it off.”

The Alabama law in question would not have prohibited a woman from obtaining an abortion, but it would have put an end to this disturbing practice. Abortion activists could not separate the two; thus the law was challenged all the way to the U.S. Supreme Court. Once there, our Attorney General led a 24-state coalition of attorneys general in filing an amicus brief arguing that “while abortions may be constitutionally protected [in a pre-*Dobbs* world], the access to a particular abortion method, such as dismemberment is not.”

In fact, Louisiana had enacted its own state law banning dismemberment as a form of abortion. Louisiana Act 264 was overwhelmingly passed in the Louisiana Legislature in the 2016 Session and was signed into law by the Governor. But even that was too late for two women who had abortions performed by David Lee Golden at Crescent City Women’s Clinic in New Orleans.

In the first case, a woman arrived at the clinic for her scheduled abortion only to reveal that she had a cervical infection. Ignoring the risk this infection brought to the procedure, Golden moved forward with the

abortion only to perforate the woman's uterus and push the decapitated fetal head into her abdominal cavity. Golden admitted that he believed the abortion was incomplete; but due to the uncontrollable uterine bleeding that followed, he advised the patient to admit herself to a hospital. Once there, she required a complete hysterectomy.

In the second Golden case, the patient complained to clinic staff of severe pain following her abortion. By then, Golden was no longer at the clinic and instructed the staff to give the patient Tylenol. Then, despite struggling to dress and walk to her car, the patient was discharged. However, on the drive back to Mississippi, she had her fiancé take her to the nearest hospital due to severe pain. She too required a complete hysterectomy. During the surgery, hospital staff discovered an 8-10 centimeter tear in her uterus. Directly opposite of this tear, within the abdominal cavity, was another decapitated fetal head.

By defending Alabama's law, so too was our Attorney General defending Louisiana's commitment to ending this form of abortion. He stated that "it is disturbing that law prohibits animals or death row inmates from being killed by dismemberment, but does not provide the same protection for a defenseless unborn child. Abortion by dismemberment kills fetuses by tearing them limb from limb while they are still alive in the womb. Not only is this type of abortion gruesome, but duly-elected state legislatures have also ruled it unlawful because it diminishes respect for human life."

However, the U.S. Supreme Court refused to hear the case. As lamented by Justice Thomas, "the notion that anything in the Constitution prevents states from passing laws prohibiting the dismembering of a living child is implausible. But under the 'undue burden' standard adopted by this Court, a restriction on abortion—even one limited to prohibiting gruesome methods—is unconstitutional if 'the purpose or effect' of the provision 'is to place a substantial obstacle in the path of a woman seeking an abortion before the fetus attains viability.'" He went further to say that this case served as a "stark reminder that our abortion jurisprudence has spiraled out of control" and that "we cannot continue blinking the reality of what this Court has wrought."

The Fight Against Eugenics

“Abortion is an act rife with the potential for eugenic manipulation.”

- Box v. Planned Parenthood of Indiana and Kentucky

The message of the eugenics movement is that some lives have too little value to exist. No one has endured the horror of that message more than unborn children with Down syndrome, who have been eliminated at staggering rates whether they were viable fetuses or not. Influenced by the rise of early genetic testing, the vast majority of women who discover their child has the Trisomy 21 genetic condition are pressured to terminate. In fact, 60% of obstetricians and 40% of geneticists reported counseling for termination of pregnancy when a fetus tested positive for Down Syndrome.

In Iceland, the elimination rate is almost 100% and nearly as high in other Nordic countries. The cure for Down Syndrome in these countries and others is simply to terminate, with the growing belief within medical communities worldwide that no woman would want to carry a Down Syndrome pregnancy to term. This has simply increased the stigma associated with disability and genetic disorders, leading to a lack of research, resources, and community for those who have survived the cull.

The problem is rooted in the ideas fostered by the eugenics movement, in which those with Down Syndrome were considered “feeble-minded” and “unfit.” There was a time even in America when those with Down Syndrome were not welcome in public spaces such as movie theaters, malls, and parks. In 1960, the life expectancy for an individual with the genetic condition was 10 years, mostly due to inhumane and at times cruel treatment. Today, such individuals can live into their sixties.

“An extra chromosome should not and must not mean a death sentence,” AG Jeff Landry stated. “I stand firm in supporting the rule of law and defending the unborn from eugenic abortion.” As a result of that

pledge, he joined Louisiana to a coalition of 22 states in filing an amicus brief at the U.S. Supreme Court in support of the Arkansas law that would prohibit abortions based on a prenatal Down syndrome diagnosis. The petition for writ of certiorari was granted; but in light of *Dobbs*, the case was sent back down to the U.S. Court of Appeals for the Eight Circuit for further consideration, making this a likely win for those in the Down Syndrome community as well as those opposed to eugenics.

Dobbs v. Jackson Women's Health

In the lead up to the *Dobbs* decision, AG Jeff Landry joined a coalition of 24 states filing a legal brief at the U.S. Supreme Court in support of Mississippi's law banning abortions after fifteen weeks. The amicus brief field argued that *Roe v. Wade* should be overturned because it has no basis in the Constitution.

Nearly 60 million innocent lives have been lost to abortion due to the rulings on both *Roe v. Wade* and *Casey v. Planned Parenthood*. Often, those in favor of abortion have rallied in defense of this practice, threatening that women would be forced to once again turn to coat hangers and back-alley clinics should abortion not be available. Graphic images of women bleeding to death and forced pregnancies abound on materials presented by abortion activists with the practice defended as healthcare, ancestral, and freedom to choose.

Yet, at least in the clinics of Louisiana, women and young girls have been put at great risk by unqualified doctors and staff, unsanitary conditions, and grotesque butchery. How many women have been injured or permanently damaged by this practice we may never know. But on June 24, 2022, the bleeding stopped.

In its opinion for *Dobbs v. Jackson Women's Health Organization*, the majority of Supreme Court Justices agreed with our Attorney General in declaring that *Roe v. Wade* and *Casey v. Planned Parenthood* were wrongly



decided. As a result, the power was delegated back to the people and their representatives who can now determine abortion policy—not the federal government.

It is a fact that the Constitution of the United States has never made any reference to abortion, and no such right is implicitly protected by any constitutional provision. And because of the High Court’s ruling in this case, Louisiana’s trigger law banning abortion immediately went into effect.

This of course, created all new legal battles, especially within the City of New Orleans, where officials refused to enforce the law. But make no mistake, as chief legal officer of our State, AG Jeff Landry has pledged to “continue defending Louisiana’s pro-life laws and working to ensure the health and safety of women and their babies.” And so the fight continues, after a major battle ends.

Safe Haven

Should you find yourself with no other alternative and are considering abandoning your baby, please know that Louisiana's Safe Haven Law ensures a safe place for your child. Simply bring your unharmed baby, up to 60 days old, to an emergency designated facility or Safe Haven site.

These include any:

- medical facility
- fire department
- hospital
- police department
- emergency medical services provider
- pregnancy crisis center
- medical clinic
- public health unit
- child advocacy center

By leaving a baby in the care of an employee at a Safe Haven facility, parents give up custody of their newborn with no questions asked.

If you cannot visit a Safe Haven site, DCFS asks that you call 911 so that an emergency responder can come to you. Parents do not have to give their names or any other information.

Once the child has been examined by a doctor, the Louisiana Department of Children and Family Services will take custody through Child Protective Services. The child will then be placed with a caregiver.

If you need help on deciding where to take your baby, you can call the Safe Haven Hotline at (888) 510-BABY. To learn more about parental rights or to anonymously give medical information about the baby for adoption purposes, please call 1-855-4LA-Kids (1-855-452-5437).

A close-up, slightly blurred photograph of the American flag. The top half of the image shows the blue field with white stars, while the bottom half shows the red and white stripes. The lighting is soft, and the focus is on the texture of the fabric.

VETERANS

Permanent Injunction

VetAttend Professional Services, LLC and its owners, John Sutton and Marc Quiroz, misrepresented to veterans, their spouses, and their family members that they were experts qualified to assist with preparing and submitting claims for benefits to Veteran Affairs (VA).

In fact, VetAttend claimed to operate a VA benefit consulting and management business, yet it lacked accreditation from the U.S. Department of Veteran Affairs, as well as a home care business license from the State of Louisiana. And while the company offered to assist veterans “free of charge,” VetAttend was actually requiring veterans to sign three-year contracts to use their services while taking a portion if not all of the veteran’s benefits for themselves.

“It is despicable that anyone would seek to take advantage of those who sacrifice so much for our liberty and freedoms,” AG Jeff Landry stated. “As a proud veteran and the State’s chief legal officer, I will continue doing all that I can to protect our military community from being exploited.”

As such, he and his Consumer Protection section fought to uphold Louisiana’s Unfair Trade Practices Act and False Advertising Law, ultimately obtaining a permanent injunction against the Louisiana-based company and its owners.

Under the terms of the judgment, VetAttend is prohibited from operating any business related to preparing and submitting claims for veterans’ benefits without accreditation from the VA; operating any business that provides home care services without a license from the State of Louisiana; and accessing veterans’ benefits or charging fees that are contingent on veterans’ receipts of benefits. VetAttend was also required to cancel all related contracts and payment authorizations currently in place.

“Our veterans earned their benefits by putting their lives on the line for our freedoms,” AG Jeff Landry added. “The least we can do is fight to defend them from unscrupulous schemes that violate our consumer protection laws.”

If you are a Louisiana military service member or veteran who wishes to file a complaint on a similar company or organization, you may do so by calling 1-800-351-4889.

Information on accredited agents, veteran service organizations, and attorneys can be found at www.va.gov/ogc/accreditation.asp.

And for more ideas on how military personnel can empower themselves, you can find our resource guide for service members and veterans by visiting www.AGJeffLandry.com



Repaying a Mighty Debt

In 2018, the U.S. Department of Education (DOE) identified more than 42,000 veterans as eligible for student loan relief due to a service-related total and permanent disability. Collectively, these loans equated to \$1 billion in dischargeable student loan debt. However, fewer than 9,000 of those veterans had applied to have their loans discharged and more than 25,000 had student loans in default.

Under federal law, DOE is required to discharge the federal student loans of veterans determined by the U.S. Department of Veterans Affairs to be unemployable (or totally and permanently disabled) due to a service-connected condition. Some actions have been taken to make this process easier for veterans; but the fact remains that the DOE still requires eligible veterans to take affirmative steps to secure the loan forgiveness, which can result in insurmountable obstacles for those severely injured.

That is why AG Jeff Landry joined fifty-one attorneys general in a bipartisan effort urging the DOE to automatically forgive the student loans of these veterans and immediately halt all debt collection efforts currently targeting them. In addition, the AGs pushed for their credit reports to be cleared of any and all negative reporting related to their student loans.

By switching to an automatic discharge process with the option to opt-out for tax purposes, the DOE would effectively “eliminate unnecessary paperwork burdens and ensure that all eligible disabled veterans can receive a discharge.”

Such a proposal already has bipartisan support in Congress and among the leading veterans’ advocacy organizations; but the issue was ultimately resolved when President Donald Trump signed an executive order in 2019 which directed the DOE to “eliminate every penny of federal student loan debt” owned by veterans who are completely and permanently disabled. Furthermore, no federal income tax must be paid on those forgiven debts and states were asked to waive their taxes as well.

OUR

HEALTH

AVOYELLES HOSPITAL
ADDITIONS & RENOVATIONS



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Pre-Existing Conditions

In the wake of a federal district court ruling that the Affordable Care Act (ACA) was unconstitutional, AG Jeff Landry sprung to action to protect those in our State with pre-existing conditions. Consequently, he helped introduce what would become Act 412 of the 2019 Regular Session—the Health Care Coverage for Louisiana Families Protection Act.

Ultimately, this legislation would prohibit the denial of healthcare coverage for pre-existing conditions while ensuring that children under the age of 26 could remain on a parent’s insurance plan while getting established in the workforce. It would also guarantee that essential benefits from ambulance care and emergency services to maternity, newborn and pediatric care, as well as hospitalizations and prescriptions would be covered by all healthcare plans in Louisiana.

The Attorney General believed such protections were not partisan but proper, and fought for a robust marketplace of affordable healthcare choices for the people of Louisiana. With his support, the measure cleared the House Insurance Committee and the Senate Health and Welfare Committee without opposition. It then passed the Senate with a 38-0 vote, and the House 90-9.

When Governor John Bel Edwards signed the bill into law, AG Jeff Landry proclaimed that “Louisiana has now become the country’s leader in protecting patients with pre-existing conditions.” As a result, should the ACA be overturned—and the power to improve healthcare be returned to the states for local solutions—Louisiana is ready.

The background of the entire image is a close-up, slightly blurred view of several playing cards. The cards are fanned out, showing various suits and symbols like hearts, diamonds, and spades. The blue and white patterned borders of the cards are prominent. The overall lighting is soft, and the colors are slightly muted, giving it a professional, documentary feel.

\$172,493,095

That's how much the Internal Revenue Service was ordered to repay Louisiana after a federal district court ruled that an Obama-era scheme had unlawfully imposed a costly (and illegal) Health Insurance Providers Fee on the State's Medicaid program through the ACA. The ruling also protected Louisiana from having to pay millions more in future fees.

House of Cards

In response to this victory, AG Jeff Landry said "The ACA has always been an economic house of cards, and this ruling has again exposed it for what it is: a money laundering scheme. This is a prime example of the deep administrative state doing something that Congress expressly forbids." Thanks to our lawsuit, the scheme was foiled.

The Generic Cartel

Millions, if not billions, of dollars are spent by pharmaceutical companies as new drugs are researched, developed, and brought to market. However, once the patent rights expire for a specific brand-name drug, anyone can manufacture a generic version, which is often sold at a fraction of the cost. Considered to be one of the last few bargains in the American healthcare system, generic drugs save consumers tens of billions of dollars annually by providing the exact same pharmaceutical formula for significantly less. And as additional generic drugs enter the market, the price continues to fall.

But then, around the late 1990s, the senior leadership of generic drug companies, along with marketing and sales executives, started to discuss these bargains and how there might be an opportunity for a mutually beneficial relationship. Casual conversations on the golf course or at cocktail parties soon turned into frequent telephone calls, emails, and text messages. And then the prices of generic drugs suddenly began to rise, if not skyrocket, without explanation.

Publicly, the manufacturers argued that these increases were outside of their control due to a myriad of factors, from plant closures to the elimination of unprofitable product lines. Yet the outrage continued as prices climbed, eventually triggering a multi-state investigation which uncovered illegal collusion in the form of a price-fixing cartel with three goals: avoid price erosion, maintain inflated prices, and eliminate competition.

Consequently, the states and consumers were paying artificially inflated prices while the companies illegally profited. So AG Jeff Landry and the Attorney General of Connecticut, in collaboration with forty-five other AGs, filed a class action lawsuit that included 300 drugs and most of the generic drug manufacturers. They argued that this conspiracy violated federal and state antitrust and consumer protection laws, then filed an expanded complaint in 2019. The case is currently ongoing.

340B

The 340B Program was created by Congress in 1992 to address rising drug prices and ensure that medically underserved patient populations and uninsured Americans had access to healthcare. To achieve this goal, the program enabled select hospitals, clinics, and health centers in urban and rural areas to purchase prescription drugs at a significant discount from certain manufacturers.

For example, critical medications like insulin and inhalers can be priced around \$900 to \$1,800 for a three-month supply. “Covered entities” (as they are known within this program) could obtain that same supply directly from drug manufacturers for \$12 to \$15, all in the name of providing healthcare to those unable to pay.

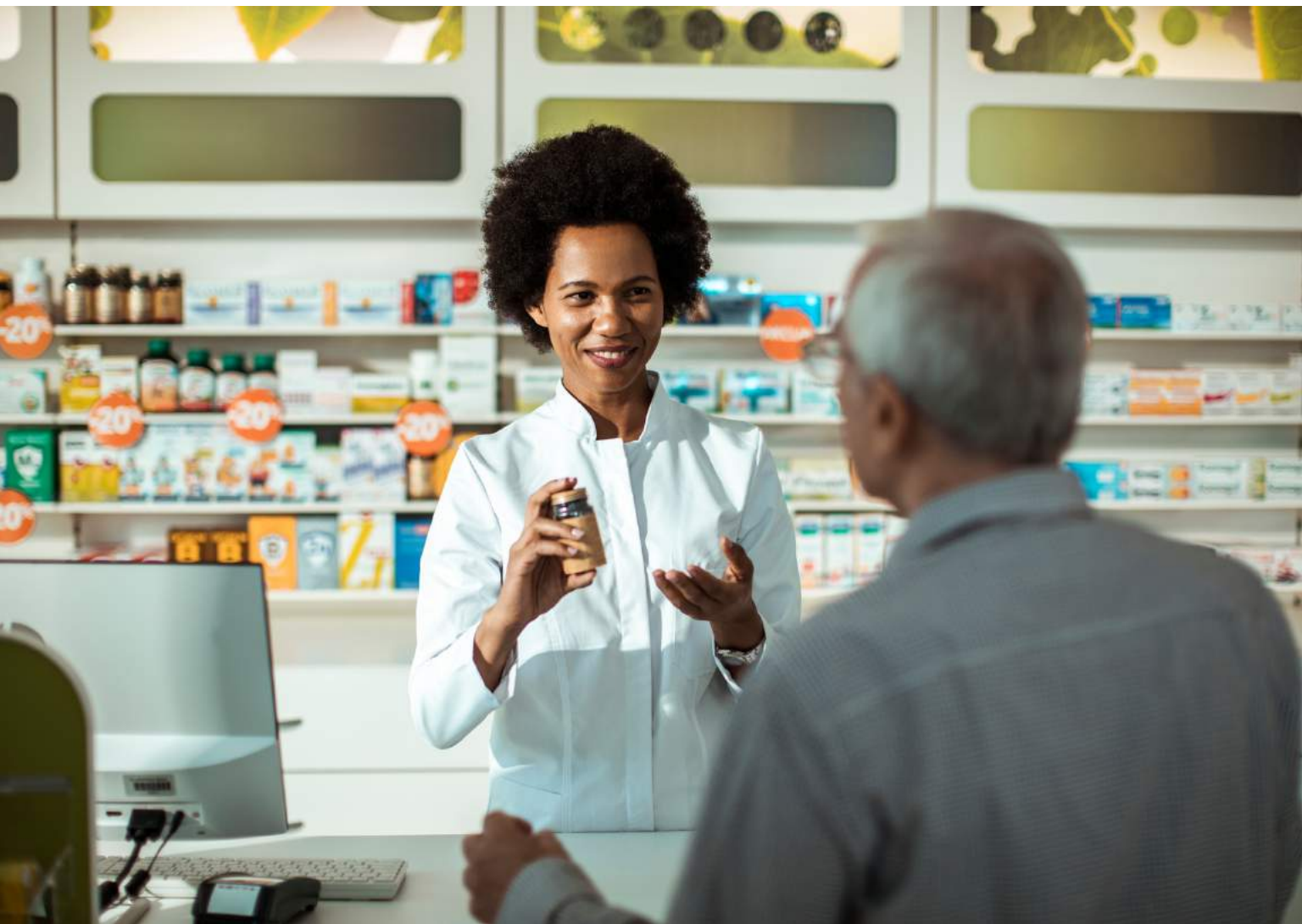
But in the event that a patient did have health insurance willing to cover the typical cost of a prescription medication, the resulting revenue could be used to benefit the community by filling gaps left by limited federal grants. This could mean new clinic locations offering OBGYN or dental services, or new initiatives to serve those with substance abuse issues. And since these highly specific “covered entities” could never turn away patients due to their inability to pay, revenues could also offset losses.

The drug manufacturers had voluntarily agreed to participate in the 340B Program, and had for decades. The companies were also well aware that Congress had designated the Administrative Dispute Resolution Process as the appropriate forum for resolving disputes between manufacturers and covered entities. However, Sanofi SA, Novartis Pharmaceuticals, United Therapeutics Corp, and NovoNordisk suddenly stopped shipping drugs to the contracted pharmacies and refused to do so.

This refusal to comply with a well-established agreement affected a network of more than 12,000 covered entities, roughly 46,000 pharmacy arrangements, and 20,000 contract pharmacies serving millions of

Americans nationwide. As a result, the U.S. Department of Health and Human Services (HHS) issued a violation letter to the companies on May 17, 2021. When they still refused to lift their unlawful restrictions on the program, the letter turned into a lawsuit, a victory for HHS, and then an appeal by the pharmaceutical giants.

It was then that AG Jeff Landry, along with the Attorney General of Connecticut and eighteen other AGs, filed two amicus briefs defending affordable drug prices before the U.S. Court of Appeals for both the Third Circuit and the District of Columbia. The case is currently ongoing; yet as our Attorney General pointed out, “many of our neighbors rely upon affordable medicine to live, and drug companies who violate their obligations to these residents must be held accountable.”



The Cost of Secrecy

United Health Group Inc. was one of several companies hired by our State to administer Medicaid. One contractual obligation within this agreement required that United Health spend a minimum share of premiums measured by a medical-loss ratio (MLR). This ratio did not apply to OptumRx, United's pharmacy benefit manager (PBM); however, OptumRx was able to help United meet its required MLR by illegally inflating drug costs by billions of dollars, and in some cases, sending that bill to our State.

"These are unregulated middle-men," AG Jeff Landry said, "cloaked in secrecy, who drive up their own profits at the expense of Louisiana's citizens." That is why, in his recent lawsuit over the alleged scheme, our Attorney General clearly outlined how OptumRx exploited the secrecy surrounding the true prices of prescription drugs to leverage a web of murky contracts with drug manufacturers, health plans, and pharmacies then ultimately skim profits from each one, including Louisiana's Medicaid Program. "Most Louisianans would be shocked to know how much cheaper they could obtain their prescriptions," he argued, "without these secretive schemes."

Of course, reigning in abusive pharmaceutical practices has long been a top priority for the LADOJ under AG Jeff Landry's leadership, with millions of dollars achieved in legal settlements for Louisiana from PBMs like OptumRx and other pharmaceutical distributors. Moreover, it is the role of states to regulate PBMs to improve the transparency of prescription drug marketplaces and protect consumer access to affordable prescription drugs, especially in rural and isolated communities.

That said, while this case is currently ongoing, our office will continue fighting to lower prescription drug costs in Louisiana, ensure transparency, and fully address fraud within our healthcare system.

COVID-19



Taking Action



Task Force

On April 9, 2020, AG Jeff Landry activated a COVID-19 Task Force to assist the LDH in ensuring consistent enforcement of public health measures, freeing up vital government resources and employees on the front lines of treating COVID patients.

Essential PPE

On April 22, 2020, AG Jeff Landry announced a major donation by The Home Depot that he acquired which included tens of thousands of N95 respirator masks and other Personal Protective Equipment for emergency workers and healthcare providers.



CHINA

On May 11, 2020, AG Jeff Landry joined an 18-state effort calling on Congress to investigate the Chinese Communist Party's role in the COVID-19 pandemic and hold it accountable for efforts to deceive the international community.



The Right to Try

As early as March 2020, hydroxychloroquine (HCQ) had been identified as a possible treatment for COVID-19. In response, the LSU School of Medicine took steps to launch clinical trials using the FDA-approved malaria drug, both in patients who were significantly ill and as a preventative measure for healthcare workers on the front lines. To support these efforts, AG Jeff Landry joined Senator Fred Mills to secure a donation of 400,000 HCQ tablets from Amneal Pharmaceuticals. Dr. Steve Nelson, Dean of LSU School of Medicine, said this donation would enable them to examine how the drug “may help clear the virus from the lungs of infected patients.”

Around that same time, our Attorney General also secured 8,000 packs of azithromycin (Z-packs) and 75,000 additional HCQ tablets from Teva Pharmaceutical. He even made a point to mention that, should any doctor prescribe these drugs in connection with the current COVID-19 pandemic, Louisiana statute R.S. 29: 771(B)(2)(c) would provide legal immunity.

Defending Therapeutics

On August 8, 2020, AG Jeff Landry sent a letter to Mark Zuckerberg accusing him of employing a double standard when Facebook removed a video by a group known as “America’s Frontline Doctors” arguing in favor of using hydroxychloroquine to treat coronavirus patients.

“The doctors provided personal health experience and findings that countered misinformation provided by the World Health Organization (WHO), an entity which has experienced no censorship from your company during this global pandemic,” our Attorney General wrote. “We all know the WHO has been wrong about the virus repeatedly; yet Facebook is using the WHO as an expert source while limiting the voices of others who might disagree with their information.”

The next year, AG Jeff Landry wrote a letter to the Louisiana Board of Pharmacy’s President Carl Aron after discovering they had circulated a memo titled, “*Do Not Use Ivermectin to Treat or Prevent COVID-19.*” Shortly after the memo was issued, the Board clarified that it had no laws, rules, policies, or guidelines to stop the use of Ivermectin; but AG Landry nevertheless reminded them that Louisiana law does not allow them to second guess the sound medical judgment of a physician when it comes to prescribing an FDA-approved drug for an off-label use.

"The Board historically has not, to my knowledge through research," Landry wrote, "taken a position on the off-label prescription of an FDA-approved drug when a physician has determined that it meets the criteria." Furthermore, it is within the professional discretion of a licensed physician, not the pharmacist, to choose the treatment that best meets the individual needs of each patient.

In both cases, AG Landry fought for access to information and treatment options for those seeking to make wise personal choices throughout the pandemic. This pushback should not be overlooked, however, as such action likely reduced larger censorship of voices and choice.

Re-Open Louisiana

Churches

On April 30, 2020, AG Jeff Landry called on the Governor to amend his Emergency Proclamation (33 JBE 2020) so that Churches & Houses of Worship may begin the process of reopening with specific health guidance.



Salons

On May 5, 2020, AG Jeff Landry urged the Governor to allow barber shops and hair salons to re-open, giving customers the ability to make their own health decisions and enabling these mostly independent contractors to support their families.

Economy

On May 31, 2020, AG Jeff Landry and 60 State Legislators sent a letter to the Governor demanding he re-open our State to unleash the entrepreneurial spirit of our hardworking people, revitalize our economy, help small businesses, and address sky-high unemployment.



Digital Learning v. Paper Masks

On July 9, 2020, AG Jeff Landry wrote a letter to the Louisiana State Board of Elementary and Secondary Education (BESE) to express his views on addressing the COVID-19 pandemic during the 2020-21 school year, ultimately recommending that we utilize online learning to the best of our abilities while minimizing the use of mask mandates for children.

Our Attorney General argued that quality online education options should be expanded, with students given greater access to publicly-funded options no matter their home district. He also encouraged high schools to take advantage of pre-existing university courses already geared for distance learning. This, he concluded, would ensure maximum educational opportunities for Louisiana students (particularly those in districts unable to offer a wide range of courses online) that have not been able to effectively adapt to online teaching or that cannot meet particular student needs.

AG Jeff Landry also reaffirmed his belief in preserving a parent's freedom to direct their child's education with as much flexibility as possible. This freedom should include the choice of whether or not their child wears a mask. "Common sense safety procedures such as temperature checks, increased hand sanitation units and overall health and welfare education are easily applied measures," he said. Masks, on the other hand, "may be encouraged, but should not be mandated."

Landry outlined that, while the CDC has issued guidance on mask wearing, "these are guidelines, not mandates." Almost one year later, the LADOJ issued AG Opinion 21-0103, which concluded that BESE may, if it chooses, adopt rules governing COVID-19 safety protocols, such as temperature checks, the option of mask mandates, or exceptions to mask mandates, and other protocols that schools see fit.

Yet it remains a parent's right to choose whether or not they will send their child to a school that does not align with their beliefs.



Friday Night Lights

By August 2020, our knowledge of SARS-CoV-2 had evolved from our initial understanding. Statistics from the CDC itself even acknowledged that the younger the individual, the less likely he or she would be negatively affected by COVID-19, if infected at all. There was also zero evidence to suggest that young students were more likely to be infected on the football field than they were at their schools or homes.

With that in mind, AG Jeff Landry sent a letter to the Louisiana High School Athletic Association to clarify the law and encourage the re-opening of football stadiums across our State, which was in line with actions taken by our neighbors along the Gulf. He even offered to assist in drafting a waiver for parental consent, acknowledging the inherent dangers of playing football while dispelling legal concerns.

Around the same time, the LADOJ also issued AG Opinion 20-0108 concerning interscholastic athletics, including high school football, as it related to pandemic policies. It is the legal opinion of our office that La. R.S. 9:2800.25 and La. R.S. 17:439.1 did provide immunity for schools who chose to allow participation in these sports, and that the rules set forth by BESE did not prohibit high school football contests. Once more, AG Landry encouraged football stadiums be re-opened.

Then, on two occasions, AG Landry wrote to the Governor asking him to clarify why football stadium capacity remained limited to 25% for outdoor activities when he allowed 50-75% capacity indoors. “My office has checked for guidance from WH Corona Task Force and the CDC and found nothing specific for sporting events...as for the ‘science and data’ that is guiding you, we still have not seen it.” Landry then requested, on behalf of thousands of Louisiana families, that high school sports stadiums be re-opened and the games begin. The day after his second letter, the Governor opened stadiums to 50% capacity. The remaining 50% was not far behind.

Unconstitutional & Unenforceable

On July 11, 2020, the Governor issued Proclamation 89 JBE 2020, which restricted service in bars, limited indoor and outdoor gatherings to 50 people, and resulted in a statewide mask mandate. Minimal statistics were provided to support these repressive decisions, along with extremely vague references and numerous exemptions to each rule, undermining the very purpose of the order. Yet business owners were threatened to enforce these restrictions or be subject to severe penalties.

Soon after, AG Jeff Landry issued Opinion 20-0068, making it clear that the Governor had no power to make such laws through an executive order—even in an emergency situation. He also warned that businesses and law enforcement agencies alike would be exposed to liability under state and federal law if they followed the order, ultimately violating an individual’s constitutional rights.

He conceded that wearing a mask and aiming for a 50-person limit *might* be good recommendations for personal safety; but according to the laws of Louisiana, they could not be enforced with financial or criminal penalties. Unfortunately, that did not stop the Governor or others from attempting to do so, which meant the matter had to be settled in court.

Sticking to his core beliefs, AG Jeff Landry filed an “amicus curiae” brief in a Caddo District Court to support a lawsuit filed by four Shreveport businesses against the Mayor’s mandatory mask order. He also supported the owner of Firehouse BBQ in Denham Springs when she was targeted by the Governor for openly not complying with the “legally flawed” mask mandate.

“This is not about whether masks or face coverings are a good idea,” AG Landry said. “It is about what the Governor and the Department of Health can do during an extended public health emergency, and importantly, how it can constitutionally do it.” In the case of 89 JBE 2020, the mandate was neither constitutional nor enforceable.

Warning Signs

It was eleven o'clock at night and Solicitor General Liz Murrill was driving down I-49 on her way home from Texas fearful that her 17-year-old son in the passenger seat would suddenly go into cardiac arrest. Thirty-six hours prior, her son had received his second dose of the Pfizer mRNA COVID-19 vaccine, a requirement for his new position as a camp counselor. It had put him in the emergency room; however, the doctor in Texas, unfamiliar with the connection between mRNA injections and heart complications in young adult men, dismissed Murrill's concerns. It wasn't until mother and son arrived at Our Lady of Lake Children's Hospital the next day that they learned of the full extent of the problem.

Murrill's son was diagnosed with myocarditis. With troponin levels at 0.16 ng/ml (compared to a normal range of 0.04 ng/ml), he would need to spend four days in the pediatric ICU, hooked up to pulse-oxygen and heart monitors while receiving a 15-hour IVIg infusion to "stop his body from attacking itself." He underwent daily ECGs, an MRI, and had bloodwork drawn every six hours. The cost for these treatments would exceed \$75,000, and he would require specialized care from pediatric cardiologists for at least six months after leaving the ICU.

Yet according to "experts" with the Louisiana Department of Health (LDH), these were "mild side effects" to the COVID-19 vaccine, even though most pediatricians agree that the terms "mild" and "myocarditis" should not be uttered in the same sentence. Even worse, both myocarditis and pericarditis are confirmed adverse reactions to these mRNA vaccines, with reports of cases increasing significantly by June 2021 when our Solicitor General wrote to the Governor's Administration asking for parents and young adults to be provided with *accurate* information, rather than "grossly misleading propaganda" designed to increase vaccination rates no matter the cost.

Myocarditis is a serious medical condition that can result in heart attack, heart failure, stroke, arrhythmias, and sudden cardiac death; pericarditis

can act as long as three weeks, be recurring or chronic, and lead to pericardial effusions, chronic constrictive pericarditis, and cardiac tamponade. These are extremely serious medical conditions; yet in a June 2021 program titled *COVID-19 Vaccines & Children: What you need to know*, LDH “experts” underemphasized the nature of these conditions by saying “take a couple of days off,” while simultaneously underplaying their connection with the vaccines, stating “it just happens.”

A week prior to the program’s launch, a 13-year-old Michigan child died of myocarditis and pericarditis three days after receiving the second dose of the Pfizer vaccine, a loss all the more tragic when you consider that young adults and teens have low to zero risk, if they even contract COVID-19. Murrill requested that the Governor’s Administration remove the video from their website and YouTube.

Similarly, on June 23, 2021, AG Jeff Landry wrote to the Vaccine Safety Team for the CDC’s COVID-19 Vaccine Task Force sharing similar concerns. Even though the CDC had at least acknowledged the risk of myocarditis and pericarditis following the jab, they misleadingly stated that “most patients...who received care responded well to medicine and rest and quickly felt better.” Furthermore, the CDC’s process for collecting data on adverse events also indicates that the incident rate could be *severely under-reported*.

As our Attorney General pointed out, all of this has been “intentionally misleading, irresponsible, and undermines the principles of informed consent that are necessary for parents to make the right decisions for their children,” as “no parent can conceivably exercise informed consent based upon this type of flatly false and misleading information.”

AG Jeff Landry went on implore the CDC not to mandate the EU-approved vaccines, or give final approval to them at this time. He also asked that the connection to the Pfizer and Moderna mRNA vaccines not be diminished in an effort to achieve herd immunity or some targeted percentage of vaccinated individuals. Instead, he urged the CDC to immediately pause recommendation for use of these vaccines in healthy young adults and children pending further clinical studies.

Childhood Schedule

On November 22, 2021, the Governor and his Department of Health proposed mandating that all students attending kindergarten through twelfth grade receive the COVID-19 vaccine. This would have made Louisiana second to only California for mandating the vaccine for students; but even then, California's mandate had been restricted to just middle and high school students.

In a letter to Dr. Courtney Phillips, Secretary of LDH, AG Jeff Landry took the opportunity, as our State's chief legal officer, to advise her that the proposed rule *was not permitted* under existing Louisiana law. First, much like the flu shot, the COVID-19 vaccine could not be "required" as it does not prevent disease. In other words, even if every student were vaccinated with these products, it was still possible for an outbreak to occur at school. Unlike diseases listed within La. R.S. 17:170 A(2), such as measles, mumps, rubella, tetanus, and others, COVID-19 is not a "vaccine-preventable disease" and cannot be mandated.

Second, even if these vaccines could prevent COVID-19 (despite all evidence to the contrary), our State Law and State Constitution enshrine students with extensive religious and philosophical protections. According to La. R.S. 17:170, any parent or student can dissent in writing; yet LDH, through various bullying tactics, tried to make dissenting more burdensome while creating unnecessary confusion as to whether or not dissent was an actual option. This threatened to infringe upon individual rights, including but not limited to, religious freedom, right to health autonomy, personal liberty, and other objections, which is unacceptable.

And finally, even officials at the WHO agree that, despite these mRNA vaccines, COVID-19 is not going away and will likely become an endemic virus that will be with mankind forever, similar to influenza. As such, the Attorney General warned LDH that their proposed rule would likely meet with significant legal challenges, then laid out steps for the Legislature to curtail the measure, which was successfully accomplished.

In Opposition

In a public letter submitted to Centers for Disease Control and Prevention's (CDC) Director Rochelle Wolensky, AG Jeff Landry and eleven of his colleagues called on the CDC's Advisory Committee on Immunization Practices to not include COVID-19 vaccination on the list of childhood immunizations.

He also urged the group to not include the COVID-19 vaccine in the Vaccines for Children Program (VFC), which was created by Congress during a measles outbreak to ensure that children from low-income families had access to free vaccines.

"The COVID vaccine does not provide the same protection against life threatening illnesses," AG Jeff Landry stated. "Instead, it could put more children at risk, when the purpose of the VCF is to protect them." He added that the CDC "should not be treating kids in low-income households as lab experiments, nor should pharmaceutical companies be allowed to use their families as cash cows."

"Our Nation's kids are not the federal government's guinea pigs," he said. "And this action could deny many parents the freedom to determine whether to subject their kids to an experimental vaccine."



Know Your Rights

State law prohibits the Office of the Attorney General from providing legal advice to individuals and businesses; but as a matter of public record, our office did release the framework documents we gave to our Department of Justice employees so they could express their religious and philosophical concerns regarding masks and vaccines. The full documents can be sourced at www.AGJeffLandry.com.

Here are a few highlights:

A Louisiana School cannot require evidence of immunity to or immunization against COVID-19 until either (1) the Office of Public Health adds COVID-19 to the statewide vaccination schedule or (2) the school receives permission from the Office of Public Health. But even then, a Louisiana school must recognize a written dissent from vaccination.

A dissent is simply an opposition or disagreement, regardless of the reason for or source of the opposition or disagreement, and includes, but is not limited to, religious reasons. Louisiana law does not place any restrictions or minimum standards on what constitutes as a dissent for the purposes of La. R.S. 17:170(E), other than the requirement that the dissent be in writing.

The statute does not permit a school to override or second guess the recommendation of a student's doctor, in the case of a physician's statement, or the personal choice of a student (or their parent or guardian), in the case of a dissent. The law does not permit a school to reject or make additional inquiries into a physician's statement or student's dissent that complies with the express terms of the statute.

Again, you can learn more at www.AGJeffLandry.com/Article/10941 while college vaccine exemption forms are at: www.AGJeffLandry.com/Article/12961.

Oh, Neaux!

AG Jeff Landry first wrote to LSU's Interim President Thomas Galligan on June 1, 2021, urging him not to require COVID vaccinations for students or faculty while under an Emergency Use Authorization (EUA). He also explained that there are many reasons why someone would be opposed to receiving these experimental injections, from sincere religious beliefs against taking vaccines derived from aborted fetal cell lines to the increasing rates of myocarditis and pericarditis, especially in young boys and men. Our Attorney General reminded Galligan that EUA vaccines cannot be mandated and Louisiana Law requires institutions like LSU to respect a student or faculty member's right to dissent. But such warnings fell on deaf ears.

On December 7, 2021, AG Jeff Landry once more wrote to LSU—this time to the Faculty Senate—out of concern for their agenda item listed as “A Call to Bring LSU's Vaccination Mandate into Conformity with State Law and National Guidelines.” He made clear that one day prior, the Legislature (through the House Health and Welfare Committee) had voted to stop any attempt by the Louisiana Department of Health from adding the COVID-19 vaccine to the list of required immunizations for school entry.

He also cautioned LSU from mandating the vaccine, as opposed to recommending it, while outlining La. R.S. 17:170, which limits the immunization schedule to vaccine-preventable diseases, only requires evidence for those entering school for the first time or the sixth grade, and grants students the ability to opt-out through a simple written dissent.

Finally, AG Jeff Landry warned that any attempt to retaliate or discriminate against a student who chooses to dissent would be a violation of state law, which may subject the university and its employees to lawsuits or liability.

Who Dat Say What?

First, the New Orleans Saints announced a new policy: in order to enter Champions Square and the Superdome on game day, ticket holders would need to either show proof that they were fully vaccinated or a recent PCR test with a negative result.

While this policy was in accordance with recent guidelines set by Mayor LaToya Cantrell, the Saints failed to offer season-ticket holders the choice to opt-out or request a refund. Instead, fans were encouraged to resell their tickets on SeatGeek.

AG Jeff Landry rejected this as “completely unacceptable” and immediately called upon the Treasurer and the State’s Bond Commission to “oppose any request for the Dome until these ticket holders are refunded or given the ability to opt-out.” As a result, the Saints reversed course on their policy.

Less than six months later, AG Jeff Landry went to bat against NOLA’s mandates again, petitioning a court to have the State of Louisiana intervene in *Andrews v. Cantrell*, a lawsuit challenging the city’s vaccine and mask mandates. Over 100 parents had joined the suit against the Mayor and her health director. At the time, masks were required in bars, restaurants, and other public spaces. Even children as young as five were required to show proof of vaccination or a recent PCR test.

It was argued by AG Jeff Landry that Mayor Cantrell had overstepped her authority; and after our subpoenas were issued in the case, the Mayor had a choice: lift her mandates or face even more public scrutiny.

We forced her to drop the draconian mandates, and the case became moot. As AG Jeff Landry noted time and time again, this result would have been impossible were it not for parents and guardians standing up to hold their local leaders accountable.

Checks & Balances

On September 8, 2020, our office issued AG Opinion 20-0106 after we were asked whether the Governor would be prohibited from declaring another public health emergency should the Legislature terminate his initial declaration related to COVID-19.

It was our opinion that the Governor’s authority to declare a subsequent public health emergency would only be restricted based on limitations established by the Legislature, if any. Otherwise, the Governor would not be precluded from declaring other emergencies, disasters, or both, unless the Legislature expressly restricted his authority to do so.

However, when the Legislature attempted to terminate the Governor’s declaration of emergency under the Emergency Powers Act, our office ended up defending the State Legislature in court.

“This is not about undermining the validity of public health precautions,” AG Jeff Landry stated. “It is about upholding the very fabric of our Louisiana Constitution. Statute clearly outlines that the Governor cannot ignore or reject the checks and balances that underpin our government. If we allow this to happen once, when will it stop?”

The battle went on through the fall of 2020, with the Governor issuing edicts and the Legislature trying to stop them. However, by the time a judge was prepared to make a ruling on this case, the issue was moot—the Governor’s executive orders expired on their own terms and it was decided that a judgement or decree would serve no useful purpose.

But if this situation had gone any further, our office was prepared to fight in defense of Louisiana’s Constitution and her people. Furthermore, by taking this case on, it served as a check and balance of its own, potentially preventing further edicts from being issued or renewed.



Landry + 20

Together with Governor Ron DeSantis and Florida AG Ashley Moody, we filed a lawsuit challenging the U.S. Centers for Disease Control and Prevention's (CDC) continued mask mandate on public transportation.

"Biden's top-down authoritative approach does not work and violates freedom," AG Jeff Landry stated. "I will continue to fight for individual liberty and protect the people of Louisiana from government overreach."

Beat to the Punch

But then the exact same district court overturned the mandate for a completely different lawsuit! Just as we had argued: the mandate exceeded the authority of Biden's CDC. As a result of the ruling, the mask mandate on public transit was finally lifted—a victory for us all!

Coercion is Not Consent

As President-Elect, Joe Biden said that he “d[i]dn’t think [vaccines] should be mandatory” and “wouldn’t demand [they] be mandatory.” Once he took office, his Administration’s policy was: “The government is not now, nor will we be supporting a system that requires Americans to carry a [vaccine] credential.” It suggested that the role of the federal executive was ensuring “American’s privacy and rights [were] protected” and that the vaccine rollout is “not used against people unfairly.” On the subject of masks, Biden admitted that he could only mandate their use on federal property, explaining that, as President, “I cannot mandate people wearing masks.”

But as time went on, according to his own words, the President’s “patience” began “wearing thin” on those “who haven’t gotten vaccinated.” He expressed similar disdain for those opposed to mask mandates, calling their concerns “ugly” and “wrong.” Then, on September 9, 2021, he abandoned persuasion for brute force and announced a series of unprecedented federal mandates aimed at compelling most of the adult population of the U.S. to get a COVID-19 vaccine while expanding mask mandates nationwide. He also declared that he was “taking on elected officials and states” and that he would “use my power as President to get them out of the way.”

Enter AG Jeff Landry and twenty-three of his colleagues who immediately voiced their opposition to Biden’s unconstitutional and illegal edict. “We urge you to reconsider your unlawful and harmful plan and allow people to make their own decisions,” they wrote. “If your Administration does not alter its course, we will seek every available legal option to hold you accountable and uphold the rule of law.”



Vaccine Mandates Part One:

Private Sector

In an attempt to force vaccines on businesses in the private sector with 100 or more employees, the Biden Administration chose a rarely used emergency temporary standard provision in the Occupational Safety and Health Act. Between 1971 and 1983, the Occupational Safety and Health Administration (OSHA) issued nine emergency temporary standards and only one had been upheld. That's because, in order to justify such a standard, OSHA must determine that “employees are exposed to grave danger from exposure to *substances* or *agents* determined to be toxic or physically harmful or from *new hazards*.” It must also conclude that “such an emergency standard is *necessary* to protect employees from such danger.”

However, the COVID-19 virus is not the sort of “substance,” “agent,” or “hazard” to which the statute refers. And Biden’s own statements, that those who are vaccinated have little chance of hospitalization or death, undercut any assertion that there is “grave danger.” Finally, Congress empowered OSHA to establish workplace standards related to “employment and places of employment.” All of the provisions are most naturally focused on dangers occurring at work *because of one’s work*, as opposed to dangers occurring in society generally, *including* at work.

Yet more than 80 million people would have been affected by this one-size-fits-all mandate, the likes of which neither OSHA nor Congress had ever before imposed on American workers. AG Jeff Landry, Solicitor General Liz Murrill, and others immediately sued the Biden Administration; and on November 5, 2021, a federal judge halted Biden’s mandate in the U.S. Court of Appeals for the Fifth Circuit pending expedited judicial review. It was then allowed to take effect by a federal appellate panel in Cincinnati, making its way to the U.S. Supreme Court where the OSHA mandate was successfully stopped.

Vaccine Mandates Part Two:

Federal Contractors

As soon as Joe Biden instituted his misguided and unconstitutional vaccine mandate for federal contractors, AG Jeff Landry filed suit in collaboration with the attorneys general of Indiana and Mississippi. “Medical decisions should be made between patients and doctors, not mandated by the government,” he said. “That’s why I am taking action to prevent the government from forcing Louisiana citizens to inject something into their bodies.”

The Contractor Vaccine Mandate would have affected one-fifth of the American workforce, including untold numbers of state employees. It also threatened state budgets with widespread implications for safety-net programs, pension funding, state credit ratings, and virtually all state-funded priorities.

Congress had granted no such authority to the Executive; yet that did not stop Joe Biden from issuing Executive Order 14042, which directed agencies to ensure that “contracts...include a clause that the contractor or subcontractor shall, for the duration of the contract, comply with all guidance...published by the Safer Federal Workforce Task Force.”

That Task Force Guidance required vaccination, masking, physical distancing, and the designation of a “compliance coordinator.” Even employees who worked outdoors were subjected to these requirements, with a deadline for full vaccination on January 4, 2022.

The scope of this mandate was enormous, putting overwhelming pressure on our State to change its laws and policies or risk losing millions in future contracting opportunities. Yet in December 2022, the U.S. Court of Appeals for the Fifth Circuit ruled in favor of AG Jeff Landry, affirming the district court’s preliminary injunction.

Vaccine Mandates Part Three:

Healthcare Heroes

No statute authorizes the federal Executive to mandate vaccines to increase societal immunity; yet on November 5, 2021, the Centers for Medicare and Medicaid Services (CMS) published a rule requiring COVID shots for nearly every employee, volunteer, and contractor working at a wide range of healthcare facilities receiving Medicaid or Medicare funding. According to the rule, some 17 million people were required to be "fully vaccinated" by January 4, 2022 with extremely limited exceptions.

This was one year after the Nation hailed these same workers as heroes, caring for the sick without the supposed protection of a vaccine. And roughly 2.4 million healthcare workers remained unvaccinated at the time of the mandate; so it seemed unlikely they would suddenly forfeit control over their private medical choices, personal information, and bodily autonomy to their employers and the government. More likely, they would leave the workforce—resulting in even greater healthcare worker shortages.

Regardless, our lawsuit against the mandate made its way to the U.S. Supreme Court. As Solicitor General Liz Murrill stated: "This case is not about whether vaccines are effective, useful, or a good idea. It's about whether this federal branch executive agency has the power to force millions of people...to undergo an invasive, irrevocable, forced medical treatment."

Unfortunately, SCOTUS upheld this particular order, which is why we are now leading a 22-state coalition fighting for its repeal. "I am devastated for our healthcare heroes whom the government is now forcing to violate their consciences in order to keep their jobs," AG Jeff Landry said. "But we will not give up on this fight."

Vaccine Mandates Part Four:

Head Start

In November 2021, Joe Biden continued his “sledgehammer” approach towards mandatory vaccination, placing unlawful requirements on underserved children and families by requiring toddlers be masked while all staff & volunteers at Head Start programs be fully vaccinated against COVID-19 with no exceptions for natural immunity or a negative PCR test. If the Head Start provider did not comply with the mandate, their funding would be terminated.

“Like all of his other unlawful attempts to impose medical decisions on Americans, Biden’s overreaching orders to mask two-year-olds and force vaccinate teachers in our underserved communities will cost jobs and impede child development,” AG Jeff Landry stated. In fact, the toddler mask mandate would likely result in psychological, speech, and health problems, while some 273,000 staff, up to one million volunteers, and 864,289 children across 20,717 centers would be thrown into uncertainty.

According to a National Head Start Association Survey, it was estimated that less than half of the staff was vaccinated at 20% of facilities, while a quarter of programs anticipated losing more than 30% of their staff because of the mandate. At the same time, the Head Start program was created “to promote school readiness of low-income children.” Should programs be forced to close due to staff shortages or loss of funding, many of these vulnerable children would risk irreparable harm, if not from abuse and trauma then from the loss of an education.

That is why AG Jeff Landry, in coalition with 23 other states, fought against this federal overreach and obtained a permanent injunction. The judge agreed with what we’ve said from the very beginning, executive agencies DO NOT have the power to impose such mandates without an act of Congress.

OPIOID EPIDEMIC



A Top Priority

When it comes to the opioid crisis, the numbers are startling. In Louisiana, there are more opioid prescriptions than there are people; yet 60% of opioid addicts start their addiction with someone else's prescription. In fact, four out of every five heroin users can trace their addiction back to prescription drugs.

Every single day, it is estimated that 120 Americans die of overdoses, more than half by abusing painkillers or heroin—a rate that has tripled since 1999. Our state ranks in the top ten for overdose deaths, with such deaths outpacing homicides, even in New Orleans. But no community in Louisiana is immune, from our big cities to rural towns, as the abuse of opioids, heroin, and fentanyl have caused considerable harm.

On a state level, the impact of addiction and overdose deaths have stretched Louisiana's resources in terms of health care, criminal justice, child welfare, and even productivity. On a personal level, families have been torn apart, relationships damaged, and children harmed while the social fabric holding us together has eroded. For these reasons and more, this crisis has been a top priority for Jeff Landry since becoming our Attorney General.

In collaboration with law enforcement and legislators, AG Jeff Landry has worked tirelessly to educate the public on opioids, provide first responders with life-saving drugs, and offer real solutions for the people of our State. The LADOJ has also played a major role in clearing the path for some of the largest settlements in history; but instead of dedicating monies earned to the State's coffers, these settlements have been set aside to fund local government programs designed to combat the crisis.

From community outreach efforts and law enforcement training sessions to “drug take back” events and educational campaigns, we have left no stone unturned. And in this next section, we will highlight some of the many steps we have made in combating the opioid epidemic.



Digital Learning

As part of our community education efforts, AG Jeff Landry partnered with the Louisiana Ambulance Alliance to create a trusted resource for those looking for information, assistance, and guidance as we navigate the opioid epidemic together. Through an agreement with Amphastar, we created the Opioid Abuse Prevention Fund specifically for our End the Epidemic LA informational campaign.

Designed to educate the public on the dangers and responsibilities associated with opioids, the subsequent website, advertisements, and community outreach programs supported our goal of reducing opioid misuse, abuse, and overdose.

“Whether you are struggling with opioid abuse or know someone who may be battling this terrible fight,” AG Jeff Landry said, “we encourage you to get informed and know that help is available. To learn more, please visit www.EndTheEpidemicLA.org.”

Take It Back

As mentioned earlier, it is estimated that 60% of all opioid addicts start their addiction with someone else's prescription; but it's also important to note that more than 70,000 emergency room visits each year are the result of medication accidents by children under the age of 18. Both are valid reasons to remove unused and expired prescription medications from our homes; however, it's equally important to dispose of them safely and prevent those drugs from falling into the wrong hands.

That is why AG Landry joined the Blue Cross and Blue Shield of Louisiana, the National Association of Drug Diversion Investigators, and numerous law enforcement agencies in announcing a collaborative effort to provide drug take back boxes at sheriff's offices and police departments across our State. Tablets, capsules, patches, and other solid forms of prescription drugs are accepted; and all can be disposed of in a secure and anonymous fashion.

These drop off boxes are essential resources for keeping drugs out of the wrong hands and stopping the spread of addiction, which is why AG Jeff Landry traveled to every region of the State to join local leaders in raising awareness of this easy and effective option along with Drug Take Back Events. At one of these events in Baton Rouge, over 1,000 pounds of medications were disposed of by more than 250 members of the local community. Similar events occur across our State at various points in time, with a complete list available at takebackday.dea.gov.

However, if you cannot attend a specific event, AG Jeff Landry urges everyone to "utilize these boxes and get unnecessary drugs away from those who may misuse them." At the time of this writing, there are 80 permanent prescription drug drop boxes available at local law enforcement offices located across 50 parishes. To find a current list of permanent drop boxes in your area, please visit www.EndTheEpidemicLA.org/get-support.

To the Rescue

Naloxone is a prescription medication that counteracts the effects of opioid drugs, making it especially useful for first responders on the scene of an overdose. The “rescue drug” also played a key role in one of the most unique legal settlements in the Nation’s fight against this crisis.

It began with an antitrust case against Pfizer, which had allegedly attempted to block generic entry of its own anti-convulsion drug Neurontin. To settle the case, AG Jeff Landry devised a creative solution: instead of a lengthy and expensive legal battle, Pfizer would provide \$1 million worth of Naloxone to the State of Louisiana at wholesale cost.

Pfizer agreed; and to ensure that the people of Louisiana got the better end of the deal, the 60,000 doses of Naloxone would be supplied as vouchers. That way state agencies could acquire necessary doses over time, rather than receive them in bulk and risk losing the remedy as it expired.

It was the first settlement of its kind and provided lifesaving medications to first responders at no cost to their agencies.



Dissolve, Destruct, Deny

With the gubernatorial signing of Act 23 of the 2018 Regular Session, nurses and hospice organizations were granted the lawful ability to dispose of controlled substances upon the deaths of their patients. Following that, AG Jeff Landry revealed a new partnership with Mallinckrodt which provided 30,000 drug deactivation pouches to Louisiana hospice providers for free.

This was part of a larger collective effort with State Senator Fred Mills, leadership from LHC Group, and numerous hospice care workers with the goal of reducing unauthorized access and use of controlled substances. While drug take back boxes remain accessible to the public, these drug deactivation pouches have been available to hospice organizations; but they play a critical role in our fight to end the crisis.

Diversion

The Ensuring Patient Access and Effective Drug Enforcement Act of 2016 effectively stripped the Drug Enforcement Administration of the ability to issue an immediate suspension order against a drug manufacturer or distributor whose unlawful conduct posed an imminent danger to public health or safety.

While the title of the law seemed promising; in reality, it neither ensured access to medication nor allowed for effective drug enforcement. It was actually a step backwards in the fight against opioid addiction.

That is why AG Jeff Landry, along with 43 of his colleagues, wrote Congress requesting that they repeal the federal law so that drug manufacturers and distributors might be held accountable. At the time of publishing, a bill to repeal this disastrous measure is in the U.S. Senate's Committee on the Judiciary; and we await further progress on this issue.

Creative Destruction

This was the very first multi-state opioid settlement to substantially pay the states in an effort to address the epidemic, and it began with a consulting firm. McKinsey & Co. had contributed to the opioid crisis by promoting marketing schemes and consulting services to opioid manufacturers, including OxyContin maker Purdue Pharma, for over a decade.

During that time, McKinsey allegedly advised Purdue on how to maximize profits from its opioid products, including targeting high-volume opioid prescribers, using specific messaging to get physicians to prescribe more OxyContin to more patients, and circumventing pharmacy restrictions in order to deliver high-dose prescriptions. When states began to sue Purdue's directors for their implementation of these marketing schemes, McKinsey partners began emailing about deleting documents and emails related to their work.

To resolve this problematic situation, McKinsey reached an agreement with the 48 state coalition involving AG Jeff Landry and his colleagues in the District of Columbia as well as five U.S. territories. The result was a \$573 million settlement, of which Louisiana received \$6.9 million.

In addition, McKinsey agreed to adopt a strict document retention plan, continue its investigation into allegations that two of its partners tried to destroy documents in response to investigations of Purdue Pharma, implement a strict ethics code that all partners must agree to each year, and stop advising companies on potentially dangerous Schedule II and III narcotics. As AG Jeff Landry said, it was a "great start in holding these companies accountable for their role in the crisis."

To see more settlements like this one, visit the chapter titled Our Prosperity.



Pharmacy Deals

AG Landry also led negotiations alongside seventeen other attorneys general to finalize agreements with two major pharmacies for their role in the opioid crisis. As part of the agreement, CVS will pay \$5 billion in opioid relief funds over a 10-year time frame while Walgreens will pay \$5.7 billion over a 15-year time frame, with payments beginning in the second half of 2023.

Nearly all of the settlement funds must be used to remediate the opioid crisis, including prevention, harm reduction, treatment, and recovery services. Furthermore, both CVS & Walgreens agreed to court-ordered injunctive relief that requires the pharmacies to monitor, report, and share data about suspicious activity related to opioid prescriptions. These steps are meant to ensure that we actually learn from the mistakes of the past so that we do not repeat them.

To see more settlements like this one, visit the chapter titled Our Prosperity.

Who's Zooming Who?

Suboxone is known for helping recovering opioid addicts avoid or reduce withdrawal symptoms while they undergo treatment. In fact, that is its approved use. However, most people do not know that the active ingredient in Suboxone is buprenorphine, a powerful and addictive opioid.

This highlights one of the main problems with this particular crisis: companies have misrepresented their drugs' effects, leaving consumers ignorant to the true costs and benefits of certain pharmaceutical products. If correct information is not relayed to the public, they are incapable of making wise choices about their health.

“That is why my office and I will continue to hold companies who engage in improper marketing and sales practices accountable,” AG Landry stated. In line with these efforts, the LADOJ reached a settlement with Indivior for \$3.6 million to settle allegations that the company had falsely and aggressively marketed and otherwise promoted Suboxone, resulting in improper expenditures of state Medicaid welfare funds.

To see more settlements like this one, visit the chapter titled Our Prosperity.



Washington-Style Politics

As our Attorney General has said repeatedly, “sometimes good people do bad things, and they deserve a second chance; but I also know that sometimes bad people do bad things, and when that happens, those people need to go to jail.” But sometimes, good people get stuck in the downward spiral of drug addiction; and when that happens, they need rehabilitation. Drug courts play a major role in that effort by reducing crime and helping good people get back on their feet, effectively giving them that all important second chance, which is why AG Landry fought hard to ensure drug courts were an available option to those in Louisiana who need it.

As part of these efforts, AG Jeff Landry advocated during the 2021 Regular Session for SB 145—legislation that would have expanded and improved drug courts across our State with the intent to quickly identify those individuals with substance abuse disorders who had become involved in the criminal justice system and then to provide early intervention and treatment.

More importantly, it wouldn’t have cost the taxpayers a dime. Instead, the Legislature voted to create a Drug and Specialty Court fund in the Louisiana Treasury, which would allow for drug courts to be funded by monies gained through legal settlements with those who had created and proliferated the opioid epidemic, from the opioid manufacturers to the marketers and sellers.

The bill quickly passed unanimously in the Louisiana Senate, then passed in the Louisiana House. As AG Jeff Landry stated, “this bipartisan criminal justice reform will help reduce crime, reduce recidivism, and reduce drug abuse while making our communities safer and saving our hard-earned tax dollars.” It would have also put an end to the deadly cycle of addiction for some of our citizens and saved families through providing evidence-based treatment. It was common-sense legislation and a proven solution; but it was vetoed by the Governor.

OUR PROSPERITY



White Collar Overtime

In 2014, then-President Obama ordered the U.S. Department of Labor (DOL) to revise the Fair Labor Standards Act overtime exemption for executive, administrative, and professional employees to “keep up with our modern economy.” The results were revealed on May 23, 2016.

Effectively, the DOL had doubled the minimum salary overtime threshold for both public and private workers (from \$455 to \$913 a week), created a ratcheting mechanism to automatically increase an employee’s salary-level every three years, and expanded the rule to include state and local government employees. However, this so-called “white collar” exemption only applied on the basis of salary, not the duties an employee actually performed.

In addition, the new salary level was based upon the 40th percentile of weekly earnings of full-time salaried workers in the lowest-wage census region, while the “required standard salary level” was based purely on data from the 4th Quarter of 2015. The rule completely failed to take into account current or future economic conditions, the effect it would have on public and private resources, or even the variations in salaries and economic vibrancy between the regions and states themselves. It also exceeded Constitutional authorization.

Regardless, the change was set to go into effect on December 1, 2016. Businesses were outraged, as it would force employers to hire fewer people, cut the hours of existing workers, and grant automatic raises to employees without taking job duties or responsibilities into account. It would also decimate state budgets and trample the rights of states to manage relationships with their own employees.

In response, AG Jeff Landry joined 20 AGs in filing a federal court complaint to challenge the overtime rule. And in another win for Louisiana, the Courts agreed: the Executive branch cannot unilaterally make or change law, and the DOL had exceeded its authority.

Respect For Our Elders

There's an African proverb that says, when an old man dies, a library burns. Unfortunately, when it comes to modern fraud and scams, many tactics are so new to our seniors, that particular book hasn't reached the shelf yet—forcing too many of our elders to learn the hard way, and at great expense. In fact, it's believed that 1 in 10 elderly Americans fall victim to elder fraud each year; and the numbers are only increasing.

In 2019, the Consumer Financial Protection Bureau discovered that suspicious activity reports of elder financial exploitation had quadrupled between 2013 to 2017. The average loss was around \$34,400 with significant outliers as high as \$100,000. In more than half of the cases analyzed, the victim had sent the funds via wire transfer. Meanwhile, the FBI reports nearly \$3 billion in losses each year as the result of elder fraud and scams, which, according to the U.S. Department of Justice, affect “at least 10% of older Americans.”

The Fraud and Scam Reduction Act (H.R. 1215) was drafted as bipartisan legislation for these reasons. Passed by the U.S. House of Representatives on April 15, 2021, this bill would help in the fight against fraud and scams geared towards Americans aged 65 and older. Not only would it expand efforts to combat mail, telephone, and Internet fraud; but it would also strive to educate older adults on ways to protect themselves from increasingly sophisticated schemes.



That is why AG Jeff Landry joined 46 of his fellow attorneys general in urging the U.S. Senate to support this bill. It was referred to the Committee on Commerce, Science and Transportation in May 2021; and we await a vote on the Senate floor.

The Mechanics of Rules

Major economic decisions are meant to be made by our elected representatives in Congress; yet over the years, federal agencies have slowly usurped this power through broad, vaguely-worded grants of authority in federal statutes. The result has been arbitrary and unlawful rule-making with a cavalier disregard for the law, as well as the inevitable consequences.

Unfortunately, it's the American people who have been forced to carry the heavy burden caused by this lack of Congressional oversight. And by enabling unaccountable federal agencies to enact policies that cater to preferred interest groups rather than American workers, businesses and families, it's our elected officials who are responsible for the negative impact on our jobs, economy, and livelihoods. It's also our elected officials who can remedy it.

For these reasons and more, AG Jeff Landry joined 17 other attorneys general in writing to Congressional leadership of the 115th Congress on January 9, 2017. In their letter, these chief legal officers argued for reforms of the rule-making process that could only be accomplished through greater Congressional oversight of federal agencies. Part of these reforms included mandatory cost-benefit and job-impact analyses of any proposed rule, as well as Congressional approval for any rule that would have an economic impact at or exceeding \$100 million.

The letter also called for Congress to take a more active role in policing agency abuse of delegated authority, make consultation with the states a prerequisite for all major rules that could impact the federal-state balance, and create a commission that would take a holistic, cross-agency approach to applying federal rules fairly. All of this was taken into consideration by the Trump Administration in its efforts to reform federal action; but we have not given up on our fight against what has become "business-as-usual" in Washington.

\$600 or More

That is the standard of Joe Biden’s unconstitutional banking surveillance plan, which grants the Internal Revenue Service (IRS) access to every citizen’s bank account with a balance of at least \$600 or exceeds \$600 per year in transactions. Under the Bank Secrecy Act, U.S. financial institutions are mandated to report suspicious cash transactions and wire transfers over \$10,000 to prevent criminal activities, like money laundering. Yet Treasury Secretary Janet Yellen argued that this radical shift in transaction amount is meant to hold *billionaires* accountable—all while highlighting common activities that are part of the everyday lives of Americans, from the gig economy to simple Venmo transactions.

In a 2021 letter to both Biden and Yellen, Attorney General Jeff Landry and nineteen other AGs highlighted several serious concerns with this plan. First, they argued that this reckless authoritarianism was at best overly burdensome and at worst illegal. The federal government should not be combing through almost every American’s bank account without cause or suspicion. “That is unacceptable, illegal, and contrary to the well-founded constitutional principles against illegal searches and seizures,” Landry argued.

Secondly, this plan would effectively transform banks into large-scale data processors for the IRS, forcing them to provide the government with private information related to rent payments, grocery store purchases, and other common transactions. This would not only place an enormous burden on local and community banks in Louisiana, but also punish a bank’s customers by resulting in higher fees.

Furthermore, banks across the country would be forced to completely transform the way that they conduct business, as well as invest significant resources into data collection and storage. And even after mutating into watchdogs for the federal government, these banks would still be responsible for protecting all of this sensitive, centralized data from cybercriminals looking to exploit personal information. Such changes

also put smaller banks at a significant disadvantage, further consolidating a top-heavy industry.

Even then, financial institutions across the country have been adamant that this policy would not achieve the desired result of preventing Americans from hiding their money to avoid paying taxes. Instead, higher banking fees and interest rates will only decrease access to banking services for those already struggling to make ends meet, while billionaires would remain unaffected.

AG Jeff Landry was firmly opposed to this illegal, intrusive, unnecessary, and costly endeavor; however, neither Biden nor Yellen would budge. While the primary role of government is to protect person and property, the President moved forward with violating the privacy of virtually every American with a bank account in a reckless abuse of federal power. He stated that this new rule would mean that “the wealthy can no longer hide what they’re making and they can finally begin to pay their fair share of what they owe.” But that’s not what is happening in practice.

Regardless, the new rule was signed into law with Joe Biden’s American Rescue Plan Act of 2021, while his Inflation Reduction Act of 2022 funded the addition of 87,000 new agents to the IRS. Previously, you would need at least 200 transactions totaling at least \$20,000 to file a Form 1099-K. This next tax season, failure to report a sum of \$600 could trigger an audit.

But we have not stopped fighting to protect Louisiana’s people and businesses from this scheme, and we hope to deliver on our promise to protect our State from this form of federal overreach very soon.



From SPOOF...

In 2018, over 47.8 billion robocalls were made in the U.S.—a 56.8% increase from the previous year! And 37% of these calls were scams that resulted in roughly \$488 million in consumer losses. A major part of this problem is Caller ID spoofing from overseas. These are calls, text messages, or voice services that intentionally falsify the information on your Caller ID to hide the caller's true identity. A provision in the Ray Baum's Act of 2018 was meant to end this practice, but it was never enforced.

...to POOF!

That's why AG Jeff Landry and 41 of his colleagues called on the Federal Communications Commission (FCC) to put a stop to illegal robocalls and spoofing. As a result, the FCC took action in 2019 and banned malicious spoofing of text messages as well as foreign robocalls, putting a significant dent in this aggravating, invasive, and costly practice.

Well, That's a Bit Excessive

In the wake of the Coronavirus Emergency declared by Governor John Bel Edwards and President Donald Trump, AG Jeff Landry reminded consumers that price gouging laws were now in effect.

“If consumers suspect price gouging, they should report it to their local law enforcement agencies,” he said. “We do not want people or businesses to illegally take advantage of this crisis.”

Within ten days, AG Jeff Landry joined 32 other attorneys general in warning Amazon, Facebook, eBay, Walmart, and Craigslist that their online marketplaces were not exempt from price gouging laws.

This was a legitimate problem during the COVID-19 crisis, with examples ranging from a two-liter bottle of hand sanitizer selling for \$250 on Craigslist to packs of face masks selling for \$40-\$50 on eBay.

As such practices are criminal, AG Jeff Landry encouraged these online selling platforms to set specific policies to restrict price gouging and implement a complaint portal for consumers.



The Right to Cut Taxes

Due to the COVID-19 pandemic, Louisiana lost 11% of employment opportunities during the first half of 2020. Around the same time, our State's economy contracted at an annualized rate of 6.6%—the sharpest in the Nation. In comparison to the aftermath of Hurricane Katrina, which saw a 6% decrease in the total number of jobs, the pandemic was an absolute disaster for our State; but we were not alone.

That is why the \$3.1 billion offered to Louisiana through the \$1.9 trillion stimulus package known as The American Rescue Plan Act was initially a tempting offer. Supposedly meant to offset the public health and economic consequences of the pandemic, the \$195.3 billion in federal aid offered to the states could not have arrived at a better time; however, there was one major problem with accepting that money.

As AG Landry outlined in his March 16, 2021 letter to Treasury Secretary Janet Yellen, by accepting these funds, Louisiana would be agreeing to highly-suspect language related to the Tax Mandate in Section 9901 of the Act, which ultimately demanded that states hand over their core sovereign power of taxation to the federal government in exchange for financial assistance. In other words, by accepting the stimulus package, states would no longer be able to eliminate or reduce tax rates as desired.

“We cannot allow the federal government to usurp Louisiana's constitutional authority to govern itself,” AG Jeff Landry argued. “If we do, it will be the end of state sovereignty.” He then joined the attorneys general of Mississippi and Texas in suing the federal government over this “unprecedented and unconstitutional intrusion on state sovereignty through federal usurpation of essentially one half of the State's fiscal ledger.”

Louisiana has the right to set our own tax policy and revenue-reducing measures, independent of federal micromanagement, which is why we remain in this fight against gross federal overreach.



Treat Yo Self

In May 2020, our Attorney General issued a major alert to nursing home residents clarifying that, while Medicaid recipients may have to sign over some resources under specific circumstances to their place of residence, this did not apply to stimulus checks from the CARES Act.

Congress classified these monies as tax credits during the COVID-19 pandemic, and under the law, tax credits do not count as “resources” for federal benefits programs. In other words, nursing home residents may keep their stimulus payments in full.

AG Landry also issued a warning to anyone trying to defraud these residents of their federal stimulus payments, and urged anyone with information on a Medicaid recipient forfeiting his or her stimulus check to a nursing home to contact his Medicaid Fraud Control Unit.

All in the Family

Edith's Bill would amend the Victims of Crime Act of 1984 (VOCA) to include victims of senior fraud as eligible for reimbursement by the Crime Victims Fund. If made into law, it would be an important step towards compensating defrauded seniors, who often live on fixed incomes and lifetime savings.

States would also be incentivized rather than mandated to participate, with financial relief sourced from penalties and fines from deferred prosecutions and non-prosecution agreements rather than taxpayer dollars. For all of these reasons, AG Landry along with the Attorney General of Wisconsin led a bipartisan coalition of 44 states urging Congress to support the bill.

During the COVID-19 crisis, there was a surge in senior fraud designed to target individuals who were vulnerable, isolated, and separated from their support networks. Yet even before and after the pandemic, seniors have been increasingly targeted by fraudsters. Edith Shorougian was one such victim, scammed out of \$80,000 by her longtime financial adviser.

From a macro-perspective, the Consumer Financial Protection Bureau estimated that, in 2019, elder financial exploitation cases resulted in an average loss of over \$40,000 while 7% of cases resulted in a senior losing over \$100,000. The total annual financial loss by elder abuse victims is estimated to be over \$2.6 billion.

Currently, Edith's Bill is being debated within the Committee on the Senate Judiciary as we work to address this serious problem. However, within Louisiana, your LADOJ continues to fight against scams and fraud to protect our most vulnerable citizens.

False Claims

The Coronavirus pandemic resulted in massive unemployment across our State requiring record amounts of government benefits to be paid out to thousands of Louisianans in need. Unfortunately, as AG Landry pointed out, “with the unemployment system being as overwhelmed and insecure as it has been, it is no surprise that bad actors are coming out of the woodworks to take advantage of it. That is why my office will continue investigating false claims and doing what we legally can to bring criminals to justice.”

As part of that investigation, the LADOJ uncovered a plethora of fraudulent unemployment claims, with the Unemployment Trust Fund proving an easy target for fraudsters. It is estimated that more than \$400 million in Louisiana unemployment benefits were dispersed to unqualified individuals, while \$6.2 million in benefits went to prisoners and \$1.08 million to the deceased. In response, multiple arrests were announced during the pandemic.

But then our Louisiana Bureau of Investigation (LBI) learned of multiple individuals who were operating across several parishes in a conspiracy to defraud both the Louisiana and the California COVID-19 unemployment insurance programs.

In total, LBI asserts that these Louisiana residents filed more than 100 false claims with the California Employment Development Department (EDD), resulting in over \$1 million in stolen unemployment funds. In addition, several of the accused simultaneously submitted fraudulent claims to the Louisiana Workforce Commission (LWC), resulting in more than \$60,000 being stolen.

Thankfully, these individuals were arrested and charged. AG Landry then warned would-be fraudsters that “while others may have been asleep at the wheel, we are not. We are here, we will find you, and we will prosecute you to the fullest extent of the law possible.”

Have we learned nothing from COVID-19? Looking into the Nation's Baby Formula Crisis

An Op-Ed by Attorneys General Jeff Landry & Ashley Moody

When the pandemic hit America, a lack of protective gear highlighted how vulnerable we are when relying on single source suppliers. It also showed how quickly companies eager to gain market share will place bids for government contracts only to fall short of providing supply. In crises, we need reliability and safety.

Today, our Nation is facing a shortage of baby formula. Despite the lack of coverage by Biden's allies in the legacy media or the lack of attention from the White House, the infant formula crisis is far from over. And it is disproportionately impacting our most vulnerable – low-income families, families of color, and rural families.

Data from Information Resources Inc. show 20% of baby formula was unavailable at the end of July and ten states had out-of-stock rates at 90% or greater. This is what happens when one company, in this case Abbott Nutrition, has a federally-created monopoly on a specific market.

In fact, Abbott enjoys the majority of a tightly regulated pie, with 35 states (including Louisiana) contracted to exclusively supplement the nutrition of low-income residents through the WIC program. Its biggest competitor, Reckitt/Mead Johnson, controls the market of a mere 10 states (including Florida).

Supposedly this scheme is a protectionist measure to ensure women and infants receive the market's highest quality baby formula; instead, due to failures of the FDA, Abbott's factory in Michigan—responsible for the production of 20% of its products—was able to hoodwink federal

regulators and hide what FDA Commissioner Robert Califf has called “egregiously unsanitary” conditions.

A whistleblower complaint outlined the factory as a place with broken equipment, standing water, caked-on moldy formula, improperly sealed cans, and bacterial contamination – all hidden behind falsified documents. While these conditions could not possibly meet the “gold standard” of the FDA, somehow this factory repeatedly passed inspections. Unfortunately for consumers, their contaminated formula entered the marketplace and several infants died.

This is not exclusive to Abbott; Mead Johnson also has a history of bacterial contamination. In fact, *Cronobacter* has been an industry problem since the first case was discovered in 1950. It is known to cause kidney failure, encephalitis, and meningitis in infants, with half of the infected succumbing to disease. In the recent past, such deaths have been directly related to the consumption of powdered formula; but the federal government’s dependence on voluntary compliance has resulted in an industry basically entrusted with regulating itself.

While blame can certainly be placed on the FDA being understaffed and underfunded, the real problem is failure of leadership. And if the federal government insists on giving a handful of companies an unfair advantage in a specific industry, they better require those same companies follow the rules.

However, the Biden FDA appeared far more concerned about getting sued by Abbott than it did about protecting infants from fatal bacteria. They did not lean on the Michigan Governor to activate the National Guard and bring in hazmat teams to clean the facility. They did not declare a national health emergency or immediately create an EUA for the importation of baby formula from foreign countries without our tariff of 17.5%.

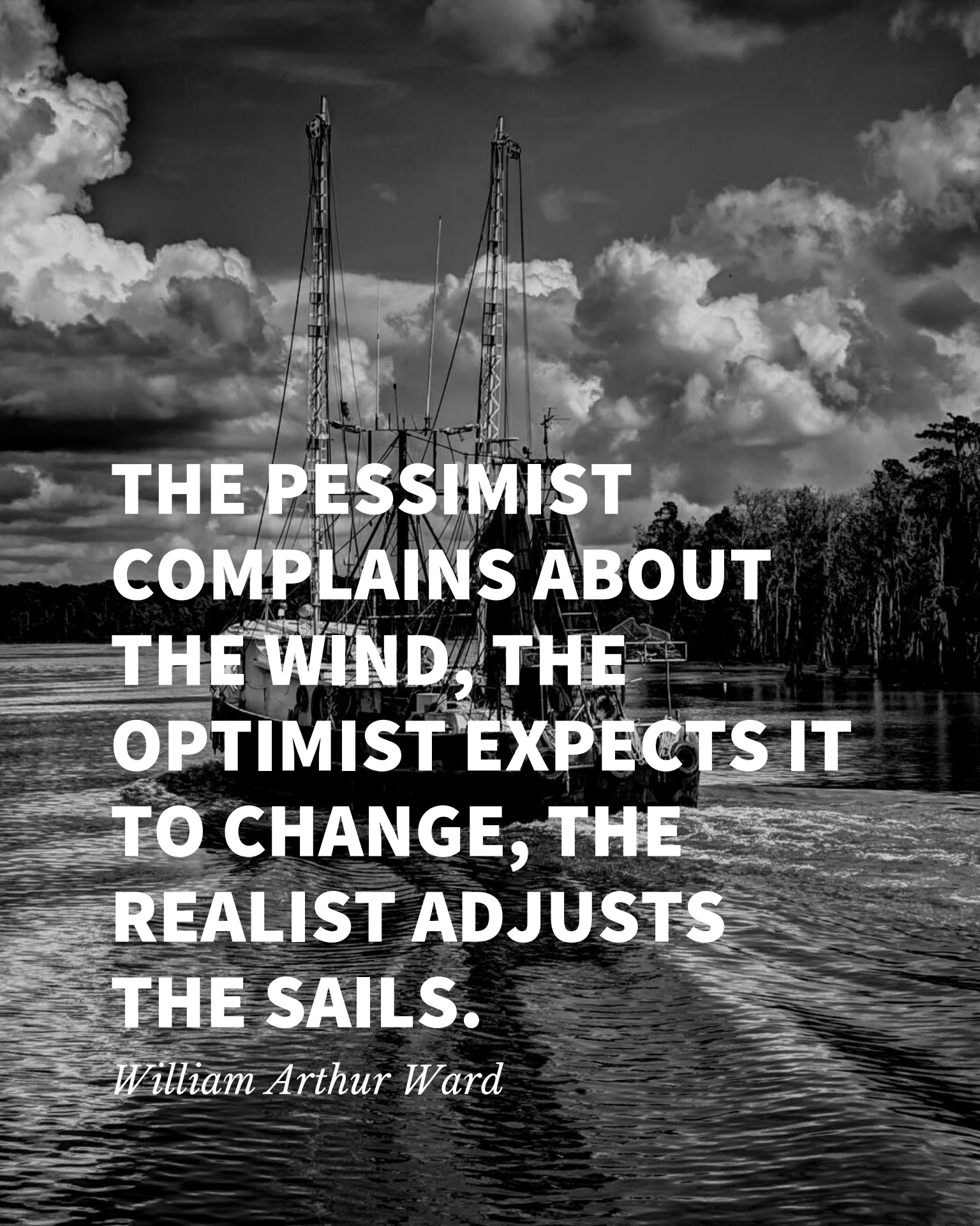
Instead, Biden’s bureaucrats granted approval to a handful of small batch companies that may not deliver on their promises, including one partly-owned by Communist China, prioritizing these companies over

bigger players that would have been able to immediately deliver the necessary product to aid American families.

At this time, the FDA has only approved an estimated 403 million 8-ounce bottles worth of infant formula – the equivalent of one month’s supply – from ten different companies. This inaptness is putting parents and newborns in Louisiana, Florida, and across our country in distress. What’s more: it is sowing further seeds of doubt.

We need transparency and accountability from the Biden administration on the steps they are taking to ensure this crisis, created from market manipulation by the federal government, never happens again. As the chief legal officers of our states, we want answers.

After all: until we learn the lessons of our past, we are doomed to repeat them. We will not sit idly by as the Biden Administration plays its dangerous game with the lives of American families.



**THE PESSIMIST
COMPLAINS ABOUT
THE WIND, THE
OPTIMIST EXPECTS IT
TO CHANGE, THE
REALIST ADJUSTS
THE SAILS.**

William Arthur Ward

Spin the Bottle

The 21st Amendment invests the right to regulate the sale of alcohol to each state; however, digital platforms quickly became a marketplace for unlicensed, unregulated, and untaxed alcohol sales, especially Facebook, Craigslist and eBay. Tech-savvy adolescents soon took advantage of this; but so did bad actors hoping to exploit the anonymity of a digital platform to evade regulation, law enforcement, taxation and responsibility.

Counterfeit Woes

Black market products that are sold on platforms like Facebook, Craigslist and eBay may be counterfeit or tainted, sometimes with serious health risks. This endangers consumers, especially adolescents who may be unfamiliar with alcoholic products or certain quality standards. As AG Landry argued, **“everyone has an ethical and moral responsibility to protect consumers, especially those who are most vulnerable to fraud.”** And this responsibility extends to the digital creations of Silicon Valley.

It's All There in Black & White

In an act of consumer protection, AG Landry joined 25 colleagues in writing a letter to the CEOs of Facebook, Craigslist and eBay, urging them to take proactive measures against alcohol sales on their platforms, which frequently violate state laws and could pose health risks. They asked for each company to review current content posted on their sites and remove any illegal posts related to the sale and/or transfer of alcohol products.

Shop's Closed

As a result, all three platforms ultimately banned the sale of alcohol (and tobacco) products on their websites in a win for legitimate alcohol sales, the protection of minors, and the rule of law.

150 ML | 40% ALC. BY VOL. | 80 PROOF



Our Settlements

As part of our Public Protection Division, the LADOJ handles a number of cases related to fraud, unfair business practices, deceptive marketing, antitrust issues, and products and/or services that endanger the people of Louisiana. While most of these settlements recoup damages to the State, some do include consumer restitution. Over the following pages, you can explore a selection of these settlements to see how your DOJ has been working for you.

***Please note that figures do not represent exact totals, as the administration of some cases is ongoing.*

Quick Guide to Our Breakdown:



Who led the charge
Total Money Secured
in Coalition
(where applicable)

Money for Louisiana

A brief description of what happened in this particular case. These settlements are the result of actions by the AG alleging violations of law. However, nothing contained below should be construed as an admission by the companies or considered proof of such violations.

A Selection of Our Settlements



AG Landry & 30 AGs
\$113 Million

\$3,293,355.19

After discovering that battery issues were leading to unexpected shutdowns in iPhone products, it was alleged that Apple concealed the problem and created a software update in December 2016 to throttle performance.

\$234,548.93

In February 2014, Anthem's network was compromised by malware installed through a phishing email. Hackers were then able to gain access to the company's data warehouse and harvest the personal information of more than 78.8 million Americans—who were notified a year later.



AG Landry & 42 AGs
\$39.5 Million



AG Landry & 50 AGs
\$13.5 Million

\$207,135.91

This settlement resolved allegations that BIPI engaged in unfair, deceptive, and misleading promotions of Micardis®, Aggrenox®, Atrovent®, and Combivent® by misrepresenting their effects, ultimately jeopardizing the health of consumers by hiding the true risks.

A Selection of Our Settlements

\$1,009,260

As part of the “diesel-gate” scandal, it was discovered that Bosch had supplied the engine control units and software for Volkswagen and Fiat Chrysler diesel vehicles manufactured between 2014 and 2016. The settlement was meant to offset additional pollution allegedly caused by these units.



AG Landry & 50 AGs
\$98 Million

**Boston
Scientific**

AG Landry & 47 AGs
\$188.6 Million

\$2,561,047

This settlement resolved allegations that the company had failed to adequately disclose the full range of potentially serious and irreversible complications associated with its surgical mesh devices, including chronic pain, voiding dysfunction, and new onset of incontinence.

\$342,028

BMS allegedly promoted the off-label use of the atypical antipsychotic drug Abilify for elderly patients dealing with dementia & Alzheimer’s despite lack of approval by the FDA. They may have known the product caused an increased risk of death as early as 2006; yet minimized that risk in promotions.



AG Landry & 42 AGs
\$19.5 Million

A Selection of Our Settlements



AG Landry & 48 AGs
\$5 Million, plus
\$493.7 Million in
Consumer Restitution

\$50,000

To resolve allegations of deceptive practices related to private loans that left 179,000 students nationwide with debts that they could not repay or discharge, this settlement with the for-profit company provided Louisiana students with **\$3,406,230** in debt relief.

\$12,044.07

An “unstructured” 2019 data breach involving personal information stored via email and other disorganized platforms, exposed the data of approximately 180,000 Carnival employees and consumers. The company waited approximately 10 months before notifying the public.



AG Landry & 45 AGs
\$1.25 Million



AG Landry
\$64.2 Million

\$64,200,000

This was money restored to the State’s coffers after we alleged that Centene, the Nation’s largest Medicaid managed care provider, had overcharged Louisiana’s Medicaid program for prescription drugs, as well as pharmacy benefits and services.

A Selection of Our Settlements

\$84,196.75

In 2014, a data breach impacted roughly 6.1 million patients across 206 affiliated hospitals nationwide. Names, birthdates, addresses, phone numbers and social security numbers were exposed. As part of this settlement, CHS was required to implement & maintain a comprehensive security program to better protect patients moving forward.



AG Landry & 27 AGs
\$5 Million



AG Landry & 48 AGs
\$60 Million

\$933,590

In this settlement, we alleged that C.R. Bard & its parent company had failed to adequately disclose serious and life altering risks associated with its transvaginal surgical mesh, including chronic pain, scarring and shrinking of tissue, painful sexual relations, and recurring infections.

\$2,818,341.38*

Under threat of litigation, CUSO agreed to provide 285 former ITT Tech students in LA with **\$2,818,341.38** in **debt relief** after falling victim to alleged abusive lending practices used in collaboration with the failed for-profit college.

The logo for Student CU Connect Private Student Loans is a dark blue rectangular box containing the text "STUDENT CU CONNECT" in white, bold, uppercase letters, with "Private Student Loans" in a smaller, white font to the right.

AG Landry & 42 AGs
\$168 Million in
Debt Relief

A Selection of Our Settlements



AG Landry
\$125,000

\$125,000

In this settlement, we alleged that, between 2010 and early 2017, across 484 LA store locations, Dollar General sold an antiquated form of motor oil under its “DG Auto” brand. While placed near modern options, it was suggested the only difference was price, when the discounted product could damage recently manufactured engines.

\$3,073,534.95

This was the largest data breach enforcement action in history with a Consumer Restitution Fund of \$425 million, \$175 million to the states, and significant injunctive relief after a massive 2017 breach exposed the data of 56% of American adults.



AG Landry & 50 AGs
\$600 Million



AG Landry & 39 AGs
\$12,671,609.11

\$187,520.20

Experian is one of the big-three credit reporting bureaus, but in September 2015 a data breach related to personal information stored on behalf of its client, T-Mobile, was comprised, affecting more than 15 million Americans (including 160,282 Louisiana residents).

A Selection of Our Settlements

\$325,000

This particular settlement was a penalty imposed on Ford after we alleged that the company had engaged in unfair and deceptive practices related to how used vehicles were sold within Louisiana.



AG Landry
\$325,000



AG Landry
\$60,000

\$60,000

In 2017, Fred's Stores of Tennessee, known as Fred's Super Dollar Store in LA, advertised "Store Closing" and going-out-of-business sales at multiple locations, offering discounts of 30-50% off for all merchandise. The problem was, they did so without a license.

\$6,000,000

In this settlement, we alleged that GSK tried to delay the generic entry of its allergy spray product Flonase in violation of antitrust and unfair competition laws. In the process it maintained monopoly power for at least 20 months, selling more than \$1 billion worth of product at an inflated price.



GlaxoSmithKline

AG Landry
\$6 Million

A Selection of Our Settlements



AG Landry & 49 AGs
\$120 Million

\$1,759,167.93

We alleged that, as early as 2004, employees knew about the ignition switch defects that would affect more than 9 million vehicles in the U.S. and potentially prevent airbag deployment in an accident; yet recalls did not begin until 2014, while GM promoted vehicle safety & reliability.

\$12,769,002.16

In what became the largest multi-state AG privacy settlement in U.S. history, we alleged that Google misled consumers about its location-tracking practices since at least 2014, gathering extremely sensitive and valuable personal information for digital advertising.



AG Landry & 39 AGs
\$391.5 Million



AG Landry & 45 AGs
\$17.5 Million

\$193,512.51

In 2014, hackers gained access to The Home Depot's network and deployed malware on its self-checkout point-of-sale system. Consequently, between April 10, 2014 and September 13, 2014, the payment card information of roughly 40 million consumers was exposed.

A Selection of Our Settlements

\$1,444,449.84

This settlement resolved allegations that engineers suspected defects in the frontal airbag systems installed in certain vehicles yet the company delayed warning consumers or safety officials and continued to suggest its products were safe.



HONDA

AG Landry & 47 AGs
\$85 Million



HSBC

AG Landry & 49 AGs
\$470 Million

\$434,046.36

This settlement with the mortgage lender provided direct payments to LA borrowers for past foreclosure abuses, loan modifications, and other relief. Approximately 550 of these borrowers had lost their home to foreclosure from Jan. 1, 2008 through Dec. 31, 2012.

\$586,408

This settlement resolved allegations that J&J sold nonprescription medicines manufactured by its McNeil Consumer Healthcare Division, despite the FDA finding the manufacturing facilities at McNeil out of compliance with current Good Manufacturing Practices between 2009 and 2011.

Johnson & Johnson

AG Landry & 42 AGs
\$33 Million

A Selection of Our Settlements

\$1,997,353.78

Johnson & Johnson

AG Landry & 45 AGs
\$120 Million

J&J and Depuy allegedly made misleading claims about the longevity rates of its metal-on-metal hip implant devices—the ASR XL and the Pinnacle Ultamet. Those who required surgeries to replace these failed implants experienced persistent pain, allergic reactions, tissue necrosis, and blood contamination.

\$2,188,730.41

This settlement resolved allegations that J&J and its subsidiary Ethicon Inc. were aware of serious medical complications with their transvaginal surgical mesh devices, but chose to misrepresent the safety and effectiveness of the product and not sufficiently disclose the risks to surgeons or consumers.

Johnson & Johnson

AG Landry & 40 AGs
\$116.8 Million

JUUL

AG Landry
\$10 Million

\$10,000,000

This settlement resolved claims that JUUL, the most popular e-cigarette brand among Louisiana’s youth, had intentionally exploited younger markets with slick ad campaigns and “fun flavors,” as well as deceptive marketing regarding true concentrations of nicotine.

A Selection of Our Settlements

\$73,858.96

This settlement resolved allegations that the tech company violated consumer protection laws by pre-installing software on its laptop computers without disclosing its presence or warning consumers that it created a significant security vulnerability.

Lenovo

AG Landry & 31 AGs
\$3.5 Million

The Mandatory Poster Agency, Inc.

AG Landry
\$52,660 in Consumer
Restitution*

\$100,000

MPA solicited businesses registered with the Louisiana Secretary of State requesting a \$125 fee to receive annual corporate minutes that “fulfill Louisiana law.” Over 2,000 businesses paid the fee. MPA was required to reimburse customers up to \$250,000.

\$6,900,000

This settlement resolved allegations that the consulting firm advised clients on how to maximize profits for opioid products, e.g., targeting high-volume prescribers, encouraging doctors to increase prescriptions, and circumventing pharmacy restrictions. When states began to sue clients, they advised deleting documents.

**McKinsey
& Company**

AG Landry & 47 AGs
\$573 Million

A Selection of Our Settlements



AG Landry & 11 AGs
\$900,000

\$31,156

This settlement resolved a December 2018 lawsuit alleging that Medical Informatics Engineering and a second company, NoMoreClipboard, LLC, collectively known as MIE, violated HIPAA, unfair and deceptive practice laws, notice of data breach statutes, and state personal information protection laws.

\$114,237

As one of the Nation's largest debt buyers, Midland purchased debts for pennies on the dollar then attempted to recover the full balance from consumers. In this case, Midland allegedly used robo-signing to acquire large volumes of debt without verifying the information.



AG Landry & 42 AGs
\$6 Million



AG Landry & 49 AGs
\$13 Million

\$20,000

This settlement resolved a multi-state investigation into consumer complaints regarding fraudulent schemes involving the wire transfer service between July 1, 2008 and August 31, 2009. The company has agreed to improve their anti-fraud efforts.

A Selection of Our Settlements

\$6,922,152.05

This settlement resolved claims that Mylan had knowingly overcharged for EpiPen and EpiPen Jr. dispensed to Medicaid welfare beneficiaries, as well as submitted false statements to the Centers for Medicare and Medicaid Services. This amount went towards replenishing the State's Medicaid program.



AG Landry
\$6.9 Million



AG Landry & 50 AGs
\$86,346,353 Million
**Consumer restitution*

\$926,385.35*

Nationstar allegedly engaged in questionable practices that led to numerous failures, including failure to accurately apply payments. As a result, thousands of borrowers (and 778 loans in Louisiana) had problems, leading to foreclosure in some cases.

\$100,537.24

Consumers often provided personal information to Nationwide and its subsidiary when seeking a quote for insurance services. That information was retained for easily providing re-quotes in the future, but exposed during a 2012 data breach that affected more than 1.2 million Americans.



Nationwide

AG Landry & 32 AGs
\$5.5 Million

A Selection of Our Settlements

The logo for NAVIENT, with the word in purple and a blue horizontal bar above the 'I'.

AG Landry & 38 AGs
\$142.5 Million
Nearly \$1.7 Billion in Relief

\$3,648.057.25*

To resolve allegations of steering struggling student loan borrowers into costly long-term forbearance rather than affordable income-driven repayment plans, this settlement brought \$3.6 million in restitution and **\$23,736,065** in private loan relief for more than 13,000 borrowers.

\$23,891

In 2013, payment card data collected at 77 of Neiman Marcus' retail stores was compromised. This included roughly 370,000 cards, with at least 9,200 being used fraudulently. This settlement resolved complications allegedly caused by the company's response.

The logo for Neiman Marcus, written in a black, cursive script.

AG Landry & 43 AGs
\$1.5 Million

The logo for PEAKS Private Student Loans, with 'PEAKS' in large blue letters and 'Private Student Loans' in smaller blue letters to the right.

AG Landry & 47 AGs
\$330 Million in Relief

\$6,605,118.07*

PEAKS was formed after the 2008 financial crisis. This was debt relief for former ITT Tech Students who had allegedly fallen prey to unfair, deceptive, and predatory business actions, resulting in a default rate exceeding 80%.

A Selection of Our Settlements

\$283,275*

The settlement resolved allegations that PHH – the Nation’s ninth largest non-bank residential mortgage originator and servicer – improperly serviced mortgage loans from January 1, 2009 through December 31, 2012 to the detriment of homeowners.



AG Landry & 49 AGs
\$45 Million in Relief
**Consumer Restitution*



AG Landry & 29 AGs
\$10 Million

\$62,926.26

Years prior to a hacker gaining unrestricted access to protected health information, multiple security experts warned the company of its cybersecurity vulnerabilities. Then, when more than 10.4 million people were exposed, the company downplayed their risk when notifying consumers.

\$33,200

During the 2016 floods affecting Baton Rouge and the surrounding areas, a State of Emergency Declaration put Price Gouging Laws into effect; yet an investigation showed that a local Hampton Inn increased daily rates for previously reserved rooms used by FEMA employees during the crisis.

Red Stick Hospitality

AG Landry
(Plus \$8,134 in consumer
restitution for FEMA)

A Selection of Our Settlements



AG Landry & 13 AGs
\$8.75 Million

\$54,853.79

This settlement with the owners of the AshleyMadison.com website addressed the 2015 data breach that exposed the personal information of millions of members, along with thousands of fake user profiles and a “Full Delete” option that wasn’t reliable.

\$53,669.68

Between August 2016 and March 2017, a data breach of Sabre Hospitality Solutions’ hotel booking system exposed the data of roughly 1.3 million credit cards. The company disclosed the breach in an SEC filing, but consumers were notified sporadically, some within a month and others a year later.



AG Landry & 26 AGs
\$2.4 Million



AG Landry & 32 AGs
\$550 Million in Relief

\$19,776,055.97*

Through the use of sophisticated credit scoring models, the auto loan giant allegedly exposed borrowers to high levels of risk, turned a blind eye to dealer abuse, and engaged in deceptive servicing practices that actively misled consumers.

A Selection of Our Settlements



AG Landry & 44 AGs
\$650 Million

\$6,000,000

TK Holdings, Inc.—a subsidiary of Takata—allegedly concealed safety issues related to faulty vehicle airbag systems that caused at least twenty deaths and hundreds of injuries. The company may have known in 2004, but did not issue recalls until Nov. 2014.

\$266,602

In 2013, cyber attackers accessed Target’s gateway server and gained access to detailed customer data ranging from names and addresses to card numbers and encrypted debit PINs. The breach affected more than 41 million customer accounts and contained the contact information of more than 60 million customers.



AG Landry & 46 AGs
\$18.5 Million



AG Landry
\$1.45 Million

\$1,450,000

This settlement resolved allegations of artificially inflating and manipulating prices, reducing competition, and unreasonably restraining trade for more than 100 generic drugs in collaboration with 19 of the Nation’s largest generic drug manufacturers.

A Selection of Our Settlements

\$10,400,000

This was money recovered from Teva after the company's misconduct had caused the State to overpay for the heart medication, Provigil.



AG Landry
\$10.4 Million



AG Landry
\$15 Million

\$15,000,000

This was one of the first opioid settlements in the country with Louisiana set to receive \$15 million over an 18-year time period, as well as \$3 million worth of lifesaving medications to aid in opioid addiction and recovery.

\$36,482.53

T-Mobile was ensnared in the same data breach affecting Experian in 2016. As a result, between September 2013 and September 2015, information associated with consumers who had applied for T-Mobile postpaid services and device financing was comprised. This affected 160,282 Louisiana residents.



AG Landry & 39 AGs
\$2,436,110.71

A Selection of Our Settlements



AG Landry & 50 AGs
\$141 Million in
Restitution

\$1,720,974.26*

Intuit, Inc., the owner of TurboTax, participated in the IRS Free File Program, which would have been free for 70% of taxpayers, yet used deceptive digital tactics to drive consumers to their "TurboTax Free Edition," which was free for only one-third of taxpayers. At the same time, ads pushed services as "free, free, free!"

\$620,314.24

In 2016, Uber learned that hackers had gained access to the personal information of their drivers, including drivers' license information for approximately 600,000 drivers nationwide. Uber failed to report this breach in a timely manner. This settlement also included **\$234,600** in restitution for LA drivers.

UBER

AG Landry & 50 AGs
\$148 Million



AG Landry & 49 AGs
\$40 Million
\$95 Million in Debt Relief
with \$1,424,212.29 for LA

\$888,200

While operating a chain of retail stores across the country, selling everything from furniture to appliances, this company targeted members of the U.S. military with alleged deceptive marketing & sales techniques as well as an abusive debt-collection practice. The company filed for bankruptcy in 2015.

A Selection of Our Settlements

\$19,800,000

This case stemmed from “diesel-gate,” the worldwide emissions scandal in which a device the automaker placed on its cars allowed excessive pollutants to be released into the air and cause environmental damage. This included vehicles under company brand names of VW, Audi, and Porsche.



AG Landry & 9 AGs
\$157 Million



AG Landry & 50 AGs
\$575 Million

\$1,911,733.65

The states alleged that the bank’s unrealistic sales goals led to more than 3.5 million accounts being affected by improper sales practices, such as accounts being opened, funds transferred, credit card applications filed, and debit cards issued without the customers’ knowledge or consent.

\$201,638.06

Between Jan. 1, 2004 and Jan. 19, 2017, scammers tricked citizens into paying them via Western Union’s money transfer system. Unfortunately, many in Louisiana fell victim to these scams; but thanks to efforts by AG Jeff Landry and others, they were given an opportunity to recover some or all of their losses.



AG Landry & 50 AGs
\$5 Million

Divest from BlackRock Before It Divests You

An Op-Ed by Attorney General Jeff Landry

There's an old adage within the world of business that the consumer votes with their dollar, ultimately dictating which companies, and dare I say ideas, thrive or die.

Yet investment firm BlackRock has taken this to an entirely new level. BlackRock CEO Larry Fink is actively using your hard-earned investment dollars to vote in support of his personal social justice warrior goals. Ironically, this is done in the name of "preserving democracy" while Fink actively circumvents the courts, legislatures, and will of the American people to not only dictate national policy from the board room but also change human behavior through a social credit score known as ESG.

Those letters stand for Environmental, Social, and Governance. What it means in reality is "forcing behaviors" through a scoring system completely lacking in transparency, standardization, and even accuracy. Gender may not be fluid, but ESG ratings most certainly are, with subjective purity tests being used to harm the performance and shareholder returns of American firms while simultaneously lifting up questionable Chinese assets.

Of course, Fink's argument is that companies with high ESG scores will perform better financially over time because they are behaving responsibly in relation to climate change. This, in turn, is supposed to make them less risky investments, especially for retirement plans. What it actually means is divesting from fossil fuels and destroying Louisiana's economy in support of unsustainable renewables that are anything but safe bets for the future.

That's why on August 4, I joined my fellow attorneys general in addressing this issue as it relates to pension funds, which, according to state law, must be invested only to earn a financial return—not to save the world from a climate emergency that over 1,000 scholars and scientists agree does not exist. Yet instead of focusing on investors' returns, BlackRock has prioritized “an urgent need to accelerate the transition towards global net zero emissions,” rejoining the Paris Agreement, and forcing the phase-out of fossil fuels, which equate to a quarter of Louisiana's gross domestic product.

Fortunately, Louisiana's Treasurer John Schroder eventually agreed with my assessment and legal counsel related to the State's fiduciary duties, and on October 5, he notified Fink that Louisiana would be divesting from the woke investment management company. This meant pulling \$794 million from the fund over the course of this year to protect both Louisiana's economy and the pensions of those who have placed trust in our ability to invest that money wisely.

Still, Fink does not have his sights set purely on the Pelican State. As a member and avid supporter of the World Economic Forum, he means to transform the entire global economy. Louisiana joining other states in divesting from Fink's brand of “virtuous” capitalism is a start, but in this David v. Goliath scenario, it's going to take more of an effort to protect ourselves from the radical agenda of the world's largest investment firm possessing an arsenal of \$10 trillion, which is more than the gross domestic product of every country in the world, except for the U.S. and China.

The truth is, companies like BlackRock quickly amassed enormous power because of a low-cost business model that encouraged investors to take a passive role in saving for their retirement. They are now using that influence to not only destroy the oil & gas industry, but to also change your personal behavior through initiatives that range from racial equity audits to promoting gender as a social construct and encouraging gun-free investments meant to “transform” that industry as well—*using your dollars*.

Millions of small investments in these mutual funds have given BlackRock, Vanguard, and State Street an enormous war chest for pushing their shared radical agenda, all while driving up the cost of everyday goods until you eventually “own nothing and are happy about it.” Unfortunately, this means that Americans who have invested their hard-earned money to prepare for the future have given these firms the leverage to effectively destroy it. If this concerns you, then I highly suggest you take back your voting power, starting with your retirement plan.

Vote with your dollar by divesting from BlackRock and others. If you are a small business owner, stop putting money in these firms and offering their funds to your employees. There are other investment managers out there who are apolitical and far more focused on delivering your desired returns than recreating Communist China in the West. If you are a retail investor, look at your mutual funds and move away from the fool’s gold schemes of Larry Fink. And if you work for a company, rebalance your 401k away from BlackRock.

This score is simple: if it went woke, help it go broke—because in this game, it’s either them or you.

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.

Theodore Roosevelt

Skin in the Game

In recent years, fantasy sports and sports betting have been phenomena sweeping over the Nation with many participating in these increasingly popular activities. The people of Louisiana were also eager to partake once these wagers were legalized; and our State – which earns more tax revenue from gaming than even oil & gas – stood to benefit as well.

As a result, the option to join other states in this type of gaming was brought to the voters of each parish. Fantasy sports was first approved in 47 of our 64 parishes, then followed by sports betting in 55 parishes. However, due to the mobile component of these gaming options, logistics issues were created within parishes that had rejected the measures. That's when our Gaming Division stepped in to help.

Our office drafted all regulations to be considered and promulgated by the Louisiana Gaming Control Board, then instructed how these new forms of gaming were to be offered, conducted, and regulated within approved parishes. We subsequently provided legal counsel to the Louisiana State Police's Gaming Enforcement Division and processed all applications. Next, we ensured that no approved platform would allow a player to place a sports wager while located in a prohibited parish through geofencing practices.

Throughout all of this, AG Jeff Landry and our office offered guidance to those able and willing to participate – steering them away from scammers and encouraging families struggling with a gambling problem to access free help offered to Louisiana residents.

By these collective actions, during our State's largest expansion of gaming since the 1990s, we were able to ensure not only responsible participation in these newly approved forms of gaming, but also the collections of roughly \$35 million in tax revenue during the 2022 calendar year.

Problem Gambling?

Secrecy, obsession, compulsion—these are a few of the warning signs of a gambling addiction. Other signals include "chasing" losses, irritability when attempting to stop, the need to bet more money more frequently, and the loss of control in spite of serious financial and personal consequences. In extreme cases, this behavioral pattern can lead to ruin or even suicide.

That is why our Gaming Division created the Problem Gambling Resource Services program in partnership with the Louisiana Department of Health, Office of Behavior Health. The goal of this program is to bring awareness about compulsive and problem gambling to the legal community, as well as educate others about the free gambling treatment services available to all Louisiana residents.

If you think you, a loved one, or a client may have a gambling problem, call or text 1-877-770-STOP (7867) for free help. The helpline is available 24 hours a day, seven days a week. It is toll-free and confidential. Visit www.HelpForGambling.org or www.FreeGamblingHelpLA.org for additional information.



A photograph showing two men in dark suits and white shirts examining evidence in a storage room. The room has metal shelving units with shelves numbered 2, 3, 4, 5, 9, 10, 16, 21, 27, and 28. The shelves are filled with various items, including bags of evidence, boxes, and other materials. One man is holding a yellow envelope with a white label that has a barcode and some text. The text on the label is partially legible and includes "Department of Justice" and "Case No.". The man on the right is looking at the envelope, while the man on the left is looking towards the shelves. The text "OUR LAWS" is overlaid in large white letters on a semi-transparent dark background across the center of the image.

OUR LAWS

Crimes Against Children

Crimes against children are some of the most heinous imaginable, which is why AG Jeff Landry has stayed committed to protecting Louisiana's children while remaining relentless in his pursuit of child predators in our communities. A major component of those efforts involves his Cyber Crime Unit (CCU), which is the lead agency for the Louisiana Internet Crimes Against Children (ICAC) Task Force—a network of federal, state, and local law enforcement and prosecutorial agencies.

Our CCU investigates, interdicts, and prosecutes crimes involving computers and other forms of electronics, often covering cases that involve the production, distribution, or possession of sexual abuse images and videos of children. Similarly, the ICAC Task Force addresses the abundance of child pornography as well as the heightened online activity of predators seeking unsupervised contact with underage children who are increasingly using the Internet. And for every instance of child exploitation, a minor victim experiences lifelong damage.

Through these initiatives, our office has been able to successfully fight child exploitation through collaborative efforts with federal, state, and local partners. For example, in 2019, Operation Broken Heart resulted in 63 arrests after a two-month effort to apprehend those accused of producing, distributing, receiving and possessing child pornography; engaging in the online enticement of children for sexual purposes; engaging in sex trafficking of children; and traveling across state or international lines to sexually abuse children.

Shortly thereafter, twelve additional men were arrested on similar charges. A separate 3-day initiative in 2021 also led to a number of arrests related to individuals soliciting minors for sex. In total, over the past seven years, our CCU has made over 800 arrests and analyzed over 2,500 pieces of evidence (covering more than 500 terabytes of data). Yet those numbers are a sober reminder of the dangers on the Internet and

the importance of knowing whom your children are interacting with online.

Attorney General Jeff Landry's Cyber Crime Unit has investigated thousands of computer crimes that have victimized children from infants to 16 years of age. To report child exploitation, call the Louisiana Bureau of Investigation at 800-256-4506.

Louisiana State Police Special Victims Unit also asks that anyone with information concerning criminal or suspicious activity should report it. Information can be submitted anonymously online at www.LA-Safe.org by clicking the "Suspicious Activity" link.

Protecting Elders

Louisiana's Medicaid Fraud Control Unit (MFCU) has existed since 1978 with the purpose to protect the elderly and mentally disabled from abuse or neglect, as well as ensure that the State's taxpayers are not exploited by those who seek to defraud our programs.

Cases for investigation are typically provided by the U.S. Department of Health and Human Services, the Louisiana Department of Health and others. From there our MFCU reviews complaints alleging abuse or neglect of Medicaid welfare patients in health care facilities then conducts investigations in cases that indicate potential for criminal prosecution. Furthermore, the MFCU prosecutes individuals and entities defrauding the Medicaid Program while also initiating the recovery of identified overpayments.

Recognized as a national leader in the investigation and prosecution of Medicaid welfare fraud and nursing home abuse, our MFCU has recovered more than \$106 million and made more than 300 convictions over the past seven years.



Medicaid Welfare Fraud

While our Medicaid Fraud Control Unit (MFCU) had historically pursued fraudulent providers of Medicaid Welfare, it was AG Jeff Landry's idea to have our Louisiana Bureau of Investigation (LBI) pursue criminals purposely stealing from our State's welfare system as fraudulent beneficiaries.

Through these efforts, LBI arrested a Medicaid provider earning \$4 million from taxpayers who had filed false documents with the same agency to unlawfully obtain healthcare for his family. In another case, LBI uncovered an individual living in Mexico who had both applied for and received Medicaid fraudulently using a Louisiana address.

LBI also discovered three siblings living in Mississippi who were receiving Medicaid benefits through a Louisiana P.O. Box. After warrants were issued for their arrest, the siblings fled to Alabama where they were later apprehended and brought back for justice.

"Abusing the welfare system designed to help the neediest of our citizens as means of enrichment will not be tolerated," said AG Jeff Landry. "I am proud of the hard work being done by my team to uncover, investigate, and arrest those stealing from the taxpayers and jeopardizing our State's precious resources."

WANTED

Our Fugitive Apprehension Unit (FAU) was created to assist local law enforcement agencies in locating and apprehending fugitives from justice. These are individuals who either cannot be located by a local agency or who are believed to be located in a jurisdiction other than where their arrest warrants have been issued. Most have committed prior crimes and are likely to commit similar crimes in the future, which is why FAU not only has statewide jurisdiction but also collaborates with law enforcement in surrounding states. Over the past seven years, this unit has successfully arrested 1,059 fugitives and cleared over 3,184 warrants.

Malfeasance in Office

Corruption in public office means stealing from the taxpayers and jeopardizing our State's precious resources, which is why AG Jeff Landry has been committed to rooting out those who violate the public's trust. In collaboration with local, state, and federal partners, the LADOJ has actively investigated, apprehended, and prosecuted both elected and appointed officials who have defrauded our State and its people. And during the Attorney General's first twenty months in office, his team arrested more than 20 public officials on corruption charges.

Officials should always conduct themselves in a fair, lawful, and honorable way that earns the trust and respect of our citizens. When they do not, it threatens the public's trust in our government and further contributes to Louisiana's stained reputation of corruption — which costs all of us much needed economic development and holds us back from transforming our State for the better. That is why the LADOJ continues to do all that it can to fight the theft, fraud, and malfeasance in office that has historically left a dark mark on the integrity of our State.



HIGH

PROFILE

CASES

Errol Victor

Eight-year-old M.L. Lloyd, III was brought into the emergency room covered in bruises, indicating that a severe beating had taken place. He was non-responsive, and officials believed that the boy had been dead for several hours before reaching the ER. The cause of death was “asphyxia due to neck compression.” His mother claimed it was an asthma attack.

Errol and Tonya Victor lived with their thirteen sons in St. John the Baptist Parish, including Tonya’s young son M.L. All of the boys were home-schooled; but none were ever registered with the State Department of Education’s home study program, as required by law. According to neighbors, Errol was a harsh disciplinarian and local preacher who kept his children at home to use as a personal workforce. In the case of M.L., he was beaten for lying about taking ice cream without permission. During that 2008 altercation, the young child died.

Thus began a whirlwind of chaos that would span 14 years. First, Errol and Tonya were charged with first degree murder of the little boy. A short time later, they were re-indicted and charged with second degree murder. Then they fired their attorneys when Errol decided that he would represent them himself. Shortly thereafter, they skipped out on their trial. In 2012, after being profiled on the popular television show *America’s Most Wanted*, the couple was apprehended in Georgia and brought back to Louisiana. Two years later, Tonya was found guilty of manslaughter by a unanimous jury while Errol was found guilty of second-degree murder on a 10-2 jury verdict.

Six years later, following a landmark decision by the U.S. Supreme Court that found nonunanimous juries unconstitutional, Victor’s conviction was vacated. But in 2022, after a re-trial, Errol was convicted of second-degree murder by a unanimous jury of his peers in St. John the Baptist Parish. He received a life sentence without parole eligibility—a major victory for the victim’s family and the LADJ.

Laura DeJohn

A Coroner Emergency Certificate (CAC) is issued when a patient is being held in a medical facility because they are gravely disabled or have been deemed a danger to themselves or others. A mental health evaluation by a physician, psychologist, or psychiatric mental health nurse practitioner must be completed before a CAC can be issued.

However, in East Feliciana Parish, the coroner Laura DeJohn and her deputy Melanie Vines had “performed” these evaluations and issued 24 falsified certificates between February 2015 and March 2016. In doing so, they billed the East Baton Rouge Coroner’s Office \$100 for each one; but that’s not all.

When forensic pathologist Frederick Michael Cramer took over the office, he alleged significant misconduct by DeJohn—including a lack of financial documents or records of fiscal operations. The new coroner also claimed that his predecessor had failed to provide him with critical records necessary for him to perform his duties. DeJohn argued that she operated her office on a “verbal basis” and kept no written records. The LADOJ subsequently opened a criminal investigation in these matters and arrested DeJohn and Vines in March 2017.

While DeJohn pled not guilty, a jury of her peers found otherwise—siding with the LADOJ’s prosecutors and convicting her on felony counts of filing and maintaining false public records and conspiracy to file and maintain false public records.



Jeff Perilloux

The girls were between the ages of 14 and 17 when the sexual abuse took place. The district court judge from LaPlace, Elzey “Jeff” Perilloux, was the father of their friend; and by attending sleepovers and a Florida vacation that Perilloux chaperoned, these very young ladies were put in precarious situations.

One victim said that the judge had insisted on applying Vick’s VapoRub on her chest while he stood in his underwear in the kitchen. Another claimed that Perilloux had insisted on slathering sunscreen all over her body, despite her declining his offer to help. A third said the judge gave her a back massage that eventually led to him reaching across her shoulder and placing his hand over her breast for several seconds. And another claimed that “Papa J” had reached inside her swimsuit bottom, asked to see under her shirt, and told her not to be scared as she backed away. He claimed it was dark, and he was looking for his cellphone.

While on trial for four sex charges related to these incidents, Perilloux flatly rejected these claims. “I believe I treated them all like daughters and did a lot of nice things for them,” he said. Furthermore, he insisted that he had done nothing he wouldn’t have done in the presence of the girls’ fathers.

Perilloux did acknowledge that he had purchased alcohol for the underage girls while in Florida; but he emphasized that he did not have a drop of alcohol himself for years. (A second DWI charge had derailed his career as an assistant district attorney in St. John the Baptist Parish before later being elected judge in the 40th Judicial District Court.)

Nevertheless, a six-person jury of his peers found Perilloux guilty on three felony counts of indecent behavior with a juvenile and one count of misdemeanor sexual battery. The victorious prosecution by the LADOJ was awarded with a 14-year prison sentence for Perilloux.

Kayla Giles

Kayla Giles was a U.S. Army Veteran with two daughters from a previous relationship when she married Thomas Coutee, Jr. In February 2018, Giles and Coutee separated after nearly four years of marriage, leading to a contentious divorce and custody battle over their young daughter.

The judge had initially awarded shared custody of the toddler; but eight days later, Coutee asked for a new trial, claiming that Giles had been abusive in the past. He claimed that she had even slapped him during a custody exchange. On September 7, 2018, Giles was served papers ordering her to appear in civil court. Coutee wanted sole custody of their daughter.

The very next day marked their daughter's second birthday, and Coutee had planned a birthday party at Chuck E. Cheese. Initially, he'd asked Giles to meet him at the local police station where he would get all of the girls and take them to meet his father at the party venue. Giles countered, asking to meet in the Walmart parking lot close to her condo; he agreed.

Usually, Giles would bring a tape recorder with her to these exchanges. This time, she brought a gun. Sometime after Coutee arrived to pick up the children, she shot him through the heart. She later told authorities that he had "lunged" at her vehicle. Her eldest daughter disputed that, saying she never saw him lunge.

Coutee's mother learned of his death from a news alert while she was shopping. She called Coutee, Sr., who was still waiting at Chuck E. Cheese, wondering why his son and granddaughter were so late. Giles claimed it was self-defense; but a jury of her peers in Rapides Parish concluded otherwise. Thanks to a collaborative effort by the LADOJ, the Alexandria Police Department, and the Rapides Parish Sheriff's Office, Giles was sentenced to life in prison plus 30 years for second-degree murder and obstruction of justice.

Delores Handy

The cornerstone of free and fair elections is voter integrity, which is why any case of voter fraud cannot be tolerated. Each case undermines and erodes the very foundation of our democracy; and it is all the more offensive when perpetrated against vulnerable populations, such as our elderly voters. Yet, that is what Delores Handy did when she purposefully failed to mark mail-in ballots as instructed by the two senior citizens she “assisted” during the November 2018 elections.

After a diligent prosecution by the LADOJ, the Crowley woman was found guilty of violating LA.RS. 18:1461.7(A)(3) in the 15th Judicial District. She was later sentenced to a suspended jail term and placed on two years of probation with the condition that she does not assist anyone else with absentee voting.

Hogan & Murray

During the 2018 run-off election for Mayor of Mansfield, voting records filed with the Louisiana Secretary of State’s Office were falsified. The subsequent investigation into this matter led directly to LaShunda Hogan and Ninfa Murray who later admitted to obtaining a mail-in ballot for the victim, signing the victim’s name on the ballot without the victim’s knowledge or permission, then dropping off the blank yet signed ballot to their group’s office.

As a result, both women pled guilty to second-degree injuring of public records and were sentenced by the 19th Judicial District Court to a one-year sentence. They were also required to pay fines totaling \$500 each, as well as \$235.25 in court fees. In addition to neither woman being allowed to work on any campaign, Hogan was to perform 32 hours of court-approved community service and Murray was to maintain full-time employment, attend school, or a combination of both.



Emmanuel Zanders

One October day in 2020, the Tangipahoa Parish Registrar of Voters contacted the Secretary of State's Office to voice their growing concerns. It appeared that voter registration forms were being submitted with fraudulent address information. Those concerns turned into a criminal investigation by the LADOJ and its partners, while the findings led directly to Amite City Councilman Emmanuel Zanders, III.

Our evidence showed Zanders purposefully manipulated over 20 Louisiana citizens into illegally changing their voter registration by asking them to sign forms that he would later complete with fraudulent addresses linked to vacant lots. On one particular registration application, Zanders had even gone so far as to list his own address. In all of these cases, Zanders had been moving these voters via paperwork directly in his own district for personal election gain.

We arrested and charged him with eight counts of election fraud related to LA RS 18:1461.2: procuring or submitting voter registration applications that are known to be materially false, fictitious, or fraudulent. Such actions ultimately distort an election by attacking the premise of one man, one vote. For this betrayal of his community, Zanders was required to resign from his position of public trust and received other penalties.

David Opperman

She was 13 years old in 2003 when she agreed to babysit overnight at the Opperman's home. She had babysat for the couple before on a regular basis, but this would be her first overnight stay. David and Jane Opperman were planning to attend a Halloween party where there would be drinking late into the night, so the teenage babysitter's parents agreed that it made sense for her to simply stay there until morning. After all, the Oppermans had a good reputation.

David was an attorney who had been practicing in St. Francisville since 1991. By all accounts, he was a likable guy and was very involved in the local church, even serving as a youth leader. His wife Jane was pregnant with her third child. And the sitter was accustomed to working there, having no reason to be worried about spending the night.

But on that night, after the Oppermans returned from the party and Jane had gone to bed, the babysitter was surprised to find David entering her bedroom. First, he sat on the bed and asked her to run her fingers through his hair to help him remove the gel. Soon he was calling her a "sexy vixen" and a "bad girl" who "turned him on." Then he began to touch her. She asked him to stop. Then he forced himself on her, in more ways than one. Eventually, the teenager was able to push him away, then escape to the bathroom and lock the door. But he drove her home the next day, as if nothing had happened.

The young teen didn't mention the incident for four years, fearing no one would believe her. It wasn't until her senior year of high school that the weight of that secret became too much to bear, causing her to breakdown crying as she relayed the event to a friend's mother who then told her parents. Around that same time, she also told Jane why she had stopped babysitting for them. Soon after, David approached the girl to tell her that he didn't remember any of it and showed her his AA eight-month chip.

The LADOJ brought the matter before a grand jury in West Feliciana Parish who indicted David on two counts of aggravated rape and one count of sexual battery. He later pled guilty to indecent behavior with a juvenile and was sentenced to seven years.

Cynthia Perkins

It began with a 2019 tip to the National Center for Missing and Exploited Children about a Denham Springs couple. Dennis Perkins was a special operations lieutenant with the Livingston Parish Sheriff's Office; his wife Cynthia was an English teacher at the local junior high school.

The couple were suspected not only of production of pornography involving a juvenile under the age of 13, but also of rape. When investigators raided their home, hidden cameras were found in their attic and bathroom as well as photographs of the couple posing nude with a child. Cynthia resigned from her teaching position; Dennis was immediately fired from law enforcement.

While Dennis awaits trial related to dozens of sex crimes, Cynthia has already been convicted – pleading guilty to second degree rape, production of child pornography, and conspiracy mingling of harmful substances. Prosecutors from the LADOJ ensured that there be no attempt to avoid conviction as Cynthia waived any right to appeal when she admitted her crimes in court.

On the second degree rape count, Cynthia was sentenced to 40 years of hard labor without the benefit of probation or parole; on the count of production of sexual abuse images and videos of children, she was sentenced to 30 years; and on the count of conspiracy of mingling harmful substances, she was sentenced to one year. She was also required to register as a sex offender for life. In the meantime, AG Jeff Landry looks forward to holding Dennis accountable for his alleged crimes in the very near future.

Jonathan Hogg

In May 2019, JonMark Miletello sent a text message to local drug dealer Jonathan Hogg, wanting to visit with a few friends at the house Hogg shared with his mother Vicki. JonMark arrived with D'veil Freeman, Jr. and others.

Supposedly, Hogg had sold marijuana to JonMark that weekend but he had yet to pay for it. A fight began, and at one point, someone pulled out a handgun. Soon after, Hogg somehow managed to secure the weapon and opened fire as the men were running out of the house. Miletello was killed. Freeman was shot multiple times and injured. Yet, before contacting the authorities, it would appear that Vicki helped her son dispose of all drugs in the home.

Hogg was arrested and charged for the shooting. Shortly thereafter, the LADOJ prosecuted the case before a Ouachita Parish jury who convicted Hogg of manslaughter, aggravated battery, and drug possession.

He was sentenced to 20 years hard labor for manslaughter, five years for aggravated battery, five years for attempted possession of cocaine with intent to distribute, and a \$100 fine for simple possession of marijuana.



Kevin Rickmon

In August of 2014, two sisters were playing with their friends and family on the front porch of a neighbor's home when gunmen in a vehicle opened fire with multiple firearms, including an AK-47-style assault rifle. When the shooting stopped, the sisters were surrounded by carnage. Multiple victims lay dead around them, including a close friend who died as they watched. Their two younger brothers had been shot in the head; one was blinded for life, while the other would go on to have permanent brain damage. Their mother was shot multiple times in her leg and stomach, left to suffer from complications for the rest of her life.

It was from this carnage and trauma that a bond was forged between the girls and a decorated officer of the New Orleans Police Department who later joined the St. Bernard Sheriff's Office. Kevin Rickmon was well-respected by his family and community because of his experience and status in law enforcement. Unfortunately, it was precisely that experience that had taught him how to identify vulnerable victims as well as cover his tracks.

Both girls were underage when Rickmon began to groom them, slowly spending more and more time with them as he took on the role of a father figure. He welcomed them into his home, and they often spent the night. But in time, his perceived kindness escalated into inappropriate behavior with both sisters. At one point he even served one of the girls alcohol before sexually assaulting her. While she refused to sleep in that house again, neither felt comfortable telling their relatives for fear of breaking up their family as well as accusing a police officer. Instead, text messages were exchanged with a friend, while the older sister suffered in near silence. This continued for two years.

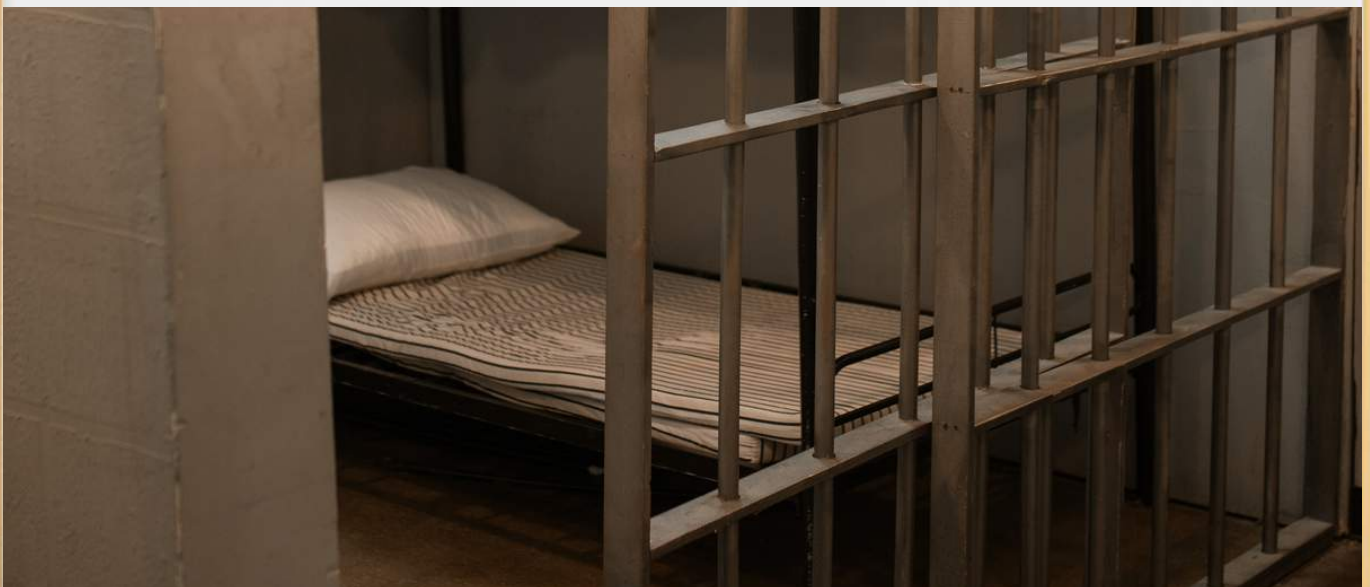
Then, one morning during breakfast, their blind brother asked why "Uncle Kevin" had come to the house that night; while everyone else was asleep, years of adjusting to his condition having improved his hearing. The older sister instantly knew that something had happened to

her younger sibling, who had asked to talk via text message late in the night. After a short, private, and painful conversation with worst fears confirmed, the sisters knew something needed to be done.

They reached out to their friend again via text message—the only person who knew. But even with these messages being used as evidence by the LADOJ during the trial, the odds were not in their favor. Rickmon had highly capable and experienced defense attorneys representing him, and they smeared the sisters' characters while highlighting the lack of physical evidence (which is all too common in sexual assault cases).

The AG's office fought back against misleading alibi defenses by presenting the jury with Rickmon's police radio traffic and timesheets, the friend was brought in to give her firsthand account of their text conversations, and both sisters bravely took the stand to explain the assault. The younger brother also testified about what he had heard that night, and how he knew who was in his sister's room.

The jury found Rickmon guilty as charged on all counts of attempted third degree rape and sexual battery. He was sentenced to ten years and six years respectively for his crimes. He will have to register as a sex offender and complete his entire prison sentence without the benefit of probation, parole, or suspension of sentence.





Derrick Stafford

The autistic boy was only 6 years old when his life ended at the hands of a law enforcement officer. Little Jeremy Mardis was riding in his father's SUV during a short pursuit by the Marksville City Marshal's Office. When the slow-speed chase ended, Derrick Stafford fired fourteen shots into the vehicle. Three bullets fatally struck the child in the front seat, one hit his father in the head, and another landed in his father's chest. The harrowing video spread across the globe.

The LADOJ prosecuted the case against Stafford. The lengthy trial not only included body camera footage showing Jeremy's father with his hands raised inside his vehicle while Stafford fired his weapon, but also testimony from other officers that they had not seen Jeremy's father with a gun and that they were not in fear for their lives.

An Avoyelles Parish jury found Stafford guilty of one count of manslaughter and one count of attempted manslaughter. He was sentenced to 15 years imprisonment at hard labor for the attempted manslaughter conviction and 40 years imprisonment at hard labor for the manslaughter conviction, with the first twenty years without the benefit of probation, parole, or suspension of sentence.

The Double-Edged Blade

There are deaths that breed chaos; then there are deaths that restore stability. This is the distinction required by discussion of the death penalty.

Legally speaking, capital punishment is constitutional (a fact repeatedly affirmed by the courts), and it exists in the State of Louisiana. While some may hold personal objections to the death penalty, in terms of the law, it represents justice—not only for the victims and their families but also for our criminal justice system as a whole, which requires that the scales be balanced to an objective eye while a sword is drawn.

When such acts of justice are unnecessarily delayed due to partisan politics, it simply breeds more chaos in a time when victims and society need a guarantee. And to refuse the victims justice is to threaten the stability of our criminal justice system, ultimately eroding the rule of law.

To be clear, the death penalty is reserved only for the most heinous crimes known to man, which are done knowingly and with a rational mind. In total, there are 41 capital offenses that are punishable by death, including mass murder, contract and torture killers, killers of children, and terrorists.

In such cases, life without parole puts even more innocent lives at risk, including guards and fellow inmates. This is why we should let the punishment fit the crime; and the death penalty, within the Louisiana Department of Corrections, is one of the last true punishments remaining. As such, capital punishment serves as a deterrence for these horrible crimes, making the swift and final actions of Lady Justice a bastion of public safety.

Yet due to the nature of public records, both compounding pharmacies and pharmaceutical companies have refused to sell or even prepare the

trio of drugs needed for execution by lethal injection. That is why our Attorney General advocated for legislation that would shroud the source of these drugs in secrecy, ultimately protecting both pharmacists and manufacturers from negative publicity and cancel culture.

At the same time, AG Jeff Landry also organized a hearing at the Capitol on the subject of the death penalty. During that time, families of victims who had been tortured, raped, and murdered were able to tell their stories, express their views, and finally have their voices heard. Unfortunately, the Legislature responded by rejecting the proposal and leaving the matter to the courts and the Governor.

Fueled by this mission, AG Jeff Landry, along with Solicitor General Liz Murrill, worked diligently to remove obstacles in the courts and effectively clear the path for a future Governor to move forward with promised executions in the hope that the families of victims will soon receive the long-awaited closures they deserve.



Must Get Out: Consent Decree Handcuffing New Orleans

An Op-Ed by Attorney General Jeff Landry

In 1973, eight perfectly sane researchers faked symptoms in order to be admitted into a mental hospital. As soon as they gained admission, they reverted back to their perfectly sane behavior—simply to study how long it would take for the staff to recognize the mistake and tell them to leave. Turns out, it was a whole lot harder to get out than it was to walk in; and exiting the mental health facility took several weeks, several lawyers, and even the help of colleagues. “On being sane in insane places” was the experiment—and boy does it feel like déjà vu.

The New Orleans Police Department (NOPD) has been under a federal consent decree since 2012—the same year the Giants beat the Patriots in Super Bowl XLVI, Adele won a Grammy for “Rolling in the Deep,” and The Hunger Games film premiered. Put in place by then-U.S. Attorney General Eric Holder and his deputy Tom Perez, the New Orleans decree was the most expansive in U.S. DOJ history. And after four years of not only reaching but maintaining “Full and Effective Compliance” as defined by the decree itself, the Big Easy still cannot break free from its grips.

I have repeatedly spoken out against this long-term federal control of local law enforcement since being elected Louisiana’s Attorney General. In 2017, I vocally called for an end to the decree. Back then, I saw the writing on the wall: by taking police power out of state and local hands and giving it to a single federal judge, a small cabal of lawyers, and a few handsomely-paid federal monitors, the consent decree would effectively tie the hands of law enforcement with miles of bureaucratic red tape.

The results? When the original complaint was filed against NOPD in 2011, alleging that three federal statutes had been violated, ultimately “requiring” federal supervision to correct, there were about 2,700 cases of violent crime in the Crescent City. A mere four years later, that

number had risen to more than 3,700 cases with rape increasing by 65%, robbery by 36%, theft by 33%, and aggravated assault by 21%. That was in 2015; the situation today is far, far worse with the City recently being crowned the Murder Capital of the country. For every 100,000 people in the city, 41 are killed by violence. Just in the past year, carjackings have increased by 14% while armed robberies rose by a shocking 42%—all while under federal control and the guise of protecting civil rights.

This rise in crime unfortunately has not been limited to New Orleans. Other cities under consent decrees such as Chicago, Baltimore, and Los Angeles have seen similar increases. Yet instead of empowering law enforcement officials to fix deficiencies, federal bureaucrats have hoarded power in the name of feel-good armchair policies such as affirming gender identity of suspects and punishing officers who engage in minor use of force to arrest violent criminals.

Every aspect of law enforcement has been commandeered by these hug-a-thug policies and practices at the expense of our hardworking taxpayers, and too many lives have been lost due to ineffectual and ridiculous requirements. No wonder morale is down: veterans are leaving the force in droves and new hires are nearly impossible to find. The City has spent millions implementing this consent decree; and despite complying, taxpayers are still averaging \$150,000 monthly on it, money that would be much better invested in recruiting and retaining police officers.

All of this has made New Orleans a dangerous place for residents and tourists alike, which is why I filed a legal motion to end this decade-long failure. Unfortunately, for the families who live, work, and visit the City, Federal Judge Susie Morgan, the exact same person tasked with overseeing compliance, recently shot my motion down. She instead chose to protect a broken system over the safety of the people in New Orleans. And that is exactly why so many people feel trapped in an insane place that coddles criminals and handcuffs police.

The City has complied, it did not work, and now we must get out. I will continue to explore all legal avenues to ensure this happens as soon as possible.

OUR VOICE





Location, Location

The State Antitrust Enforcement Venue Act of 2020 is a bill that would both strengthen federalism and help competition by ensuring that a state attorney general selects the appropriate court for antitrust enforcement actions—not the alleged monopoly. If signed into law, it would effectively grant states equal footing with federal enforcers in deciding where, when, and how to prosecute these cases.

The bill was first introduced in the U.S House of Representatives when AG Jeff Landry led his bipartisan coalition of 52 attorneys general in support of this federal legislation. It was amended by the Committee on the Judiciary on September 26, 2020, and we await future progress on this issue.

Our citizens deserve to be heard in a timely, efficient, and effective manner, especially when it comes to antitrust actions. Furthermore, smaller companies deserve the chance to compete where they see opportunity. Those accused of violating antitrust laws already have an unfair advantage in the marketplace; they should not have one in the legal system. That is why this bill is essential for protecting both the power of the states to enforce competition laws as well as consumers, who deserve a greater diversity of choice in the marketplace.

Restricted Access

Roughly 60% of mobile devices used in the U.S. rely on Apple iOS; 40% use Android. More than half of all mobile devices use the Apple Safari web browser, while 35% use Google Chrome. On a computer, Google Chrome boasts almost 60% market share, while Safari comes in second place with 16%. In all cases, Google is preset as the default search engine.

Through exclusionary agreements and owned-and-operated properties, Google effectively owns or controls search distribution channels accounting for roughly 90% of the general search engine queries in the U.S., as well as nearly 95% of all queries on mobile devices. However, the once scrappy startup turned tech giant has gained this market dominance by following the very same playbook that got monopolist Bill Gates into trouble some 20 years ago in *United States v. Microsoft*; and the results are staggering.

In the U.S., advertisers pay around \$40 billion annually to place ads on Google's search engine results page. The company pulls in over \$160 billion in revenue each year and has an estimated market value of \$1 trillion. As a result, Google (or Alphabet, to be specific) has become one of the wealthiest companies on the planet, amassing enormous power over both the Internet and how its users find information.

At the same time, Google has squashed innovation, restricted competition, and stifled the free flow of information through anticompetitive practices that have greatly reduced the overall quality of online search especially in terms of privacy, data protection, and the use of consumer data—all while ensuring that those same consumers have very few alternatives to choose from.

That is why AG Jeff Landry joined Bill Barr's DOJ and 10 other state AGs in suing Google for violating our Nation's antitrust laws. This case is currently in a U.S. district court as we fight to restore competition for American consumers, advertisers, and companies who rely on the digital economy.

13 and Under

Report after report has shown that, while the Internet can be a great resource for all ages, it is not without risk. Young people are especially vulnerable to predators cloaked behind anonymity, to cyberbullying by their peers, and to an increased risk of mental distress and self-injurious behavior caused by activity on these platforms.

At the same time, social media companies have a checkered history when it comes to protecting the welfare of children. A 2017 survey found that 42% of young Instagram users had experienced cyberbullying. The Facebook Messenger Kid's app contained a glitch that allowed children to circumvent restrictions and join Facebook chats with strangers. And in 2020 alone, Facebook and Instagram reported more than 20 million child sexual abuse images.

For these reasons and more, AG Jeff Landry joined a bipartisan coalition of 44 attorneys general urging Facebook to abandon its plans to launch a version of Instagram for children under the age of 13. And after sending their letter to CEO Mark Zuckerberg, "Instagram Kids" was indefinitely paused.

CUTIES

The sexualization of children leads traffickers to view kids as commodities to be sold, over and over again. Knowing this, the filmmaker behind the drama "Cuties" (which began streaming on Netflix in September 2020) claimed that she wished to fight the hyper-sexualization of girls; yet her film normalized the view of predators through gratuitous exposure, suggestion, and the insinuation of highly sexual girls as young as 11 years old. In response to this skewed, if not dangerous perspective, AG Jeff Landry wrote to Netflix urging them to remove the film from its catalogue. In combination with public protest and account cancellations, Netflix agreed.

FREEDOM CONVOY v. GOFUNDME

In January 2022, thousands of truckers drove across Canada to protest their government's COVID-19 vaccine mandates in downtown Ottawa. The group quickly raised over \$10 million from donors around the world, only to have their fundraising platform of choice suddenly freeze their account. Officially, GoFundMe stated they needed to "review" the fundraiser to ensure it "complies with our terms of service and applicable laws & regulations." Yet those terms were difficult to find and surprisingly opaque. And instead of providing clarity, the company only made matters worse by flip-flopping on whether or not they'd even return money to donors.

A call for transparency

Shortly after this debacle, AG Jeff Landry led a coalition of 28 attorneys general to approach the company and urge for greater transparency in how it both investigates and analyzes fundraisers, as well as how it determines whether to block, freeze, redirect or refund donations. "Big Tech platforms must be held accountable and not be allowed to hide behind arbitrary standards that allow them to pick and choose 'worthy' causes," our Attorney General argued. GoFundMe never responded.



Jedi Blue

That was the super secret code name for Google's 2018 agreement with Facebook. Together, these companies represent the strongest competition in the realm of digital advertising. Usually, they are competing with each other; but in this case, they decided to collaborate for mutual benefit.

In the lawsuit we joined with sixteen other attorneys general, it is alleged that the two tech giants, in an abuse of monopoly power, colluded to raise prices for digital ads across the Internet. Both Alphabet CEO Sundar Pichai and Facebook/Meta CEO Mark Zuckerberg signed off on the illegal ad deal. As a result, Google/Alphabet is accused of harming competitors through this "false, deceptive, and misleading act."

Stay tuned for updates as this case unfolds.

Censorship Complaint

On August 10, 2021, AG Jeff Landry, in collaboration with Alabama AG Steve Marshall, launched a "Social Media Censorship Complaint Form" for citizens wishing to file formal complaints after being censored by a social media platform. "Big Tech is not the Ministry of Truth," our Attorney General said. "Yet from political speech to healthcare research and economic activity, Big Tech has censored content to fit their ideological bents—violating users' rights. Social media platforms have altered, deleted content, blocked and restricted access, removed and banned accounts, and more. I encourage all who have been impacted to file a complaint, and I hope this initiative will expose just how far-reaching the suppression of speech has been."

To file a complaint, please visit agjefflandry.com/survey/socialmedia.

Hunter's Laptop Sets Lady Justice Ablaze

An Op-Ed by Attorney General Jeff Landry

There was once a philosopher who described communication as sharing “pictures of facts.” He outlined that the role of language is to help us form the correct image in the minds of others. Without the right image, how could we possibly communicate anything of value?

That is both the blessing and the curse of our modern world. When communication channels are open, when there is a great diversity of ideas, when claims are supported by facts, and each individual can form the correct “picture” in their minds – that is when knowledge can become power. And that is exactly why knowledge is being controlled.

In an information war, the goal is to keep us confused. Facts become vague. Truth becomes a mystery. Reality becomes an illusion. This is the art of the legacy media, creating a fun house of smoke and mirrors and confusing us at every turn until up is down and right is left. This is also how Biden's federal government has effectively created a two-tiered justice system, in which even Lady Justice herself has become so disoriented that she now is weaponized against her own citizens in the name of secrecy, power, and lies.

It is through this manipulation of language, this manipulation of the images in our minds, that the radical left has been able to systematically dismantle our Bill of Rights. Through mental confusion, they have garnered support for attacking the First Amendment – first by removing prayer in schools, then by using Big Tech to censor and shadow ban opposing voices. They have stirred opposition to the Second Amendment through fear campaigns launched by the liberal press; but they have not needed to attack the Third Amendment because we welcomed their woke soldiers into our homes through Facebook, Twitter, and Google. We even gave them our data for the privilege of their presence!

Now, with the raid of Mar-a-Lago, we have prima facia evidence that they have set their sights on the Fourth Amendment: the right of people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. This is where the manipulation of language, information, and knowledge has gotten us. But there is one splinter in their side – something that shows clearly their weaponization of justice and the decline of our Nation: Hunter Biden’s Laptop.

Once you have seen the images on that laptop, even if only the few that have trickled out, you cannot unsee them. Once you have read the emails and text messages, you cannot erase them from your mind. And, really, has there ever been a debaucherous moment that Hunter did not feel compelled to film for himself? Yet the legacy news and social media platforms alike circled the wagons around this disgusting and treasonous content for one major reason: it breaks the illusion that all is well in our crumbling Nation.

Hunter’s “laptop from hell” gives us the gift of awareness. It is the much-needed wake-up call, showcasing the cancer rotting at the core of our institutions that must be cut out. This is evidence of the two-tiered justice system and the tyranny not easily conquered. And it cannot be hidden or pushed under the rug, nor can the images be controlled.

That laptop provides the “pictures of facts” that our Nation so desperately needs to shake us from the lull of false language. And it makes us all realize that Lady Justice will not be freed from her shackles until someone at the U.S. Department of Justice and FBI, as well as the Biden family, is held accountable. As Attorney General of Louisiana, I will not stop fighting and winning for that day when the Truth is made apparent and the freedoms and liberty fought for during the American Revolution are fully restored to the American people.

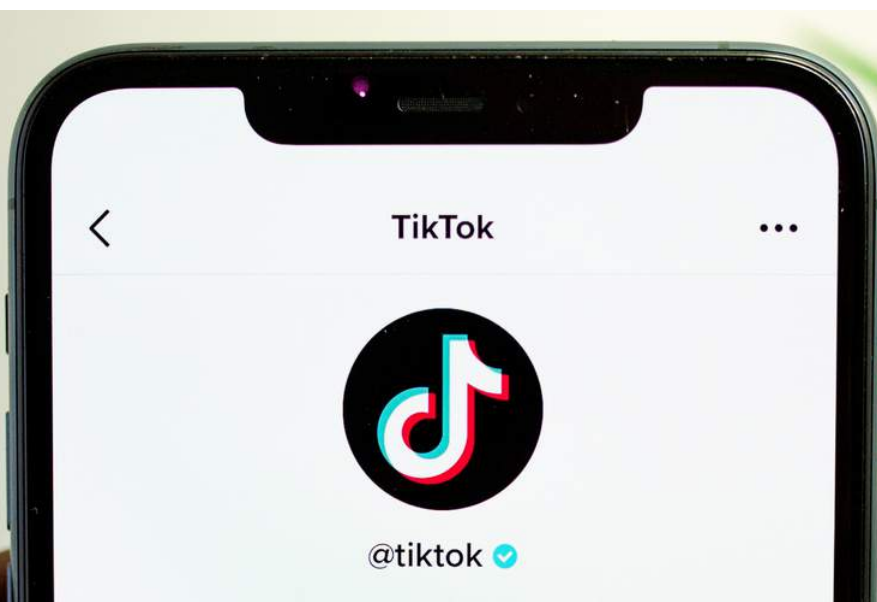
That is the triumph to come, when truth can no longer be hidden by language, but becomes clear in the minds of all. As Thomas Paine once wrote, “The mind once enlightened cannot again become dark.”

#INAPPROPRIATE

Parents depend on the accuracy of age ratings when they allow their children to use certain apps across smart devices; however, when it comes to TikTok, current ratings of “T” for “teen” in the Google Play App Store and “12+” in Apple’s App Store facilitate the deception of consumers and falsely represent the objectionable content found and served to children on the platform.

In letters to Apple CEO Tim Cook and Google CEO Sundar Pichai, AG Jeff Landry and fourteen of his colleagues argued that the app can only plausibly qualify for a “Mature” rating based on the themes often broadcast, ranging from intense alcohol, tobacco, and drug use to graphic sexual content and profanity. Together the attorneys general called on the CEOs to change the age rating or expect legal action for their misrepresentation of TikTok, up to and including litigation and civil penalties.

As it stands now, TikTok may offer a “restricted mode;” yet users under thirteen can easily gain access to countless hashtags linked to instructional videos about drug use, descriptions of drinking games, recipes for cannabis edibles, demonstrations of vaping tricks, pole dancing routines, and millions of videos set to songs with explicit lyrics. We are monitoring the situation as we await a response.



BIG TECH, BIG PROBLEM

Freedom of speech is the bedrock of American liberty, and the First Amendment states that “Congress shall make no law...abridging the freedom of speech, or of the press.” As such, the government has no power to restrict expression because of its message, its ideas, its subject matter, or its content. The U.S. Supreme Court also firmly rejected the idea of a “free-floating test for First Amendment coverage...based on ad hoc balancing of relative social costs and benefits.”

Due to the nature of these protections, some false statements are inevitable; however, the remedy is not censorship but more speech that is true. Indeed, it has been argued that members of our society have the “right and civic duty to engage in open, dynamic, rational discourse.” In other words, American citizens have the right, if not the duty, to respond to speech they do not like; but the government has no right to limit, suppress, censor, or otherwise control speech.

Furthermore, if the goal is truth, censorship is not the answer. By suppressing speech in the name of guarding against “misinformation” and “disinformation,” the government and its actors actually make it more difficult to recognize truth. As a result, there is even greater confusion, distrust, and falsehood—which is the exact opposite of the outcome those in support of censorship claim to desire.

Yet the U.S government and its officials should not be engaged in the act of censorship or suppression of speech at all. Nor can government officials circumvent the First Amendment by inducing, threatening, and/or colluding with private entities to suppress protected speech. Shockingly, that is exactly what has occurred in collusion with “Big Tech.”

In many ways, social media platforms have become our modern public square. At the time of the COVID-19 pandemic, Facebook had close to 3 billion users worldwide with some 124 million in the U.S. alone. In 2021,

66% of U.S. adults used Facebook, while 31% said that they got their news from the platform. Similarly, 23% of U.S. adults used Instagram (which is owned by Facebook/Meta), and 11% claimed to use it for news. Twitter, on the other hand, had more than 340 million users worldwide in 2021, with roughly 70 million in the U.S. During COVID-19, approximately 500 million tweets were being posted daily. Meanwhile, more than 4 billion hours of video were viewed every month on YouTube with an estimated 500 hours of video content uploaded every minute. More than 72% of U.S. adults claimed to use the video streaming platform, while 22% used it for gathering news on a regular basis.

But for all of this communication flowing across these platforms, censorship can occur without the knowledge of the speaker or their audience. Over recent years, accounts with these companies and others have been “shadow banned,” suspended, and terminated over disfavored views and speech. Content, especially on YouTube, has been demonetized and algorithms have been adjusted—sometimes manually (as in the Hunter Biden laptop story)—to de-emphasize, demote, and suppress voices.

The very threat of censorship has even been used to drive behavioral changes leading to self-censorship, with threats of suspension, demonetization, and permanent bans causing speakers to bend to ever changing standards of speech. This form of censorship, known as “prior restraint,” is the most egregious form of censorship because the thought never enters the stream of public discourse. As a result, government narratives are often given preference; even when time and time again, the opinions, beliefs, and arguments of senior government officials have been proven to be false, misleading, or downright wrong while the truth was relegated to the waste bin labeled “misinformation.”

For example, the Hunter Biden laptop exposé published by the *New York Post* on October 14, 2020 was aggressively censored, even in Twitter DMs (aka direct messages). Then, in collusion with Dr. Anthony Fauci, the highly likely lab-leak theory of COVID-19’s origins was suppressed, especially by Facebook and CEO Mark Zuckerberg, until the figurative dam broke and the theory could no longer be contained, even by a

network of ordained “fact checkers.”

Similarly, speech questioning the efficacy of masks and aggressive COVID-19 mitigation measures such as lockdowns were collectively silenced by tech companies in collaboration with public officials. In the case of the 2020 election, speech that raised concerns about the security of voting by mail and election integrity were swept clean from the Internet as best as these companies could muster. But in each of these cases, social media platforms were effectively censoring truthful and reliable information that happened to contradict Big Government talking points—and that is the basis of our lawsuit.

For decades, the federal government has artificially encouraged, protected, fostered, and subsidized the aggregation of power over speech, including the specific power of censorship by a small group of social media firms. Part of the problem is something called Section 230 of the Communications Decency Act (CDA). This unique liability shield has fostered a concentrated cluster of social media firms while protecting and encouraging the development of speech-censorship policies. Without this protection and its overly broad interpretations, free-market forces would impose a powerful check on content- and viewpoint-based censorship by social media platforms. And that’s precisely why this artificial immunity has become such a key aspect of this particular issue.

The CDA was enacted in 1996 with the purpose of promoting the growth of digital commerce and protecting against the transmission of obscene materials to children over the Internet. The intention was to “offer a forum for a true diversity of political discourse,” providing social media firms protection from any liability for what their users post. In practice, these firms have used Section 230 as a shield from liability for censoring anything they deem “objectionable,” even if it is constitutionally protected speech. We hold that this interpretation is unreasonable and exceeds what Congress authorized with the CDA.

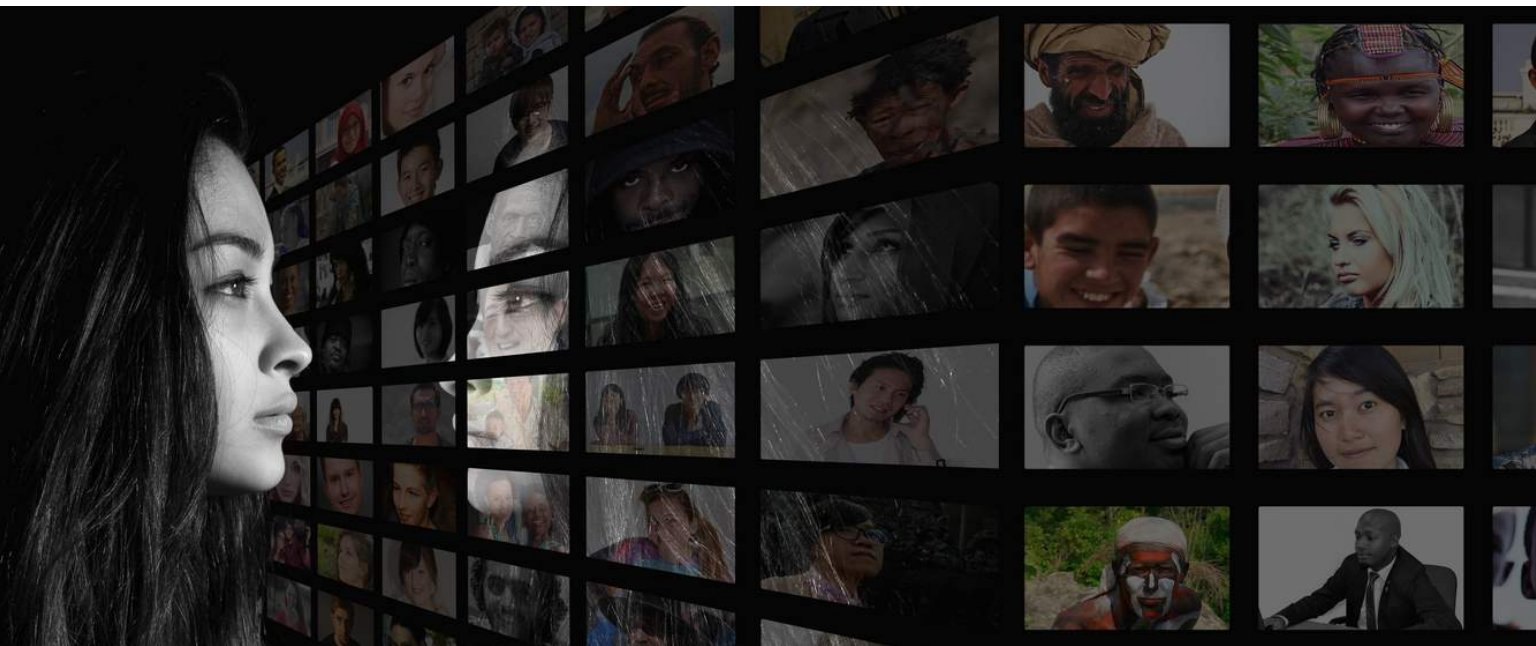
Consequently, this means that social media platforms currently enjoy the best of both worlds: they claim that they are exempt from liability if they

leave atrocious content posted, then claim that they are also exempt from liability if they censor anything they deem objectionable. Thus, there exists a new “censorship cartel,” with social media firms actively coordinating with each other in silencing speech that they, and their political allies, disfavor.

Moreover, President Biden and others have a long history of threatening to remove Section 230 and its artificial immunity should social media companies not comply with censoring content and silencing dissent on their behalf. Oftentimes these threats revolve around antitrust enforcement or legislation as well as amending or repealing liability protections if Big Tech doesn’t engage in more aggressive censorship tactics to create “ a healthy news environment.”

The American people experienced first-hand how aggressive such actions have become throughout the COVID-19 pandemic and the 2020 election, right on down to the creation of an Orwellian “Disinformation Governance Board” through the Department of Homeland Security. Big Tech has even gone so far to limit the reach of content showcasing Biden’s notoriously creepy, touchy-feely behavior around women and children, as well as posts highlighting the President’s verbal gaffes.

This situation, which has only gotten worse with time, is intolerable under the First Amendment. That is why this case is monumental and why we will not stop fighting for you and your First Amendment rights.



Failing Up:

The Truth of Dr. Anthony Fauci

An Op-Ed by Attorney General Jeff Landry

Which came first, the chicken or the egg? One potential answer is that the chicken was first and the egg was in it. So it is with our current dilemma: which came first, the corruption of science or the censoring of speech? It appears they've walked hand-in-hand for quite some time, becoming all the more apparent with the consolidation of social media power and the collective efforts of federal bureaucrats who wish to control not only what you think but especially what you say. During no time in human history was this more obvious than during the COVID-19 crisis where social engineering tactics were used against the American public, not to limit your exposure to a virus, but to limit your exposure to information that did not fit within a government sanctioned narrative.

Throughout the pandemic, doctors, scientists, patients, and their families were censored, shadow banned, blocked, and punished for having views, opinions, and research findings disfavored by the government and their chosen gatekeepers. Hard fast truths that have become indisputable over time, ranging from the effectiveness of Ivermectin and Hydroxychloroquine to the dangers of Remdesivir and the failures of the vaccine were labeled as “disinformation” and “misinformation.”

This was done in direct collusion with social media companies, allowing the federal government and its senior officials to effectively silence legitimate, responsible viewpoints in the modern public square. And just as George Washington warned in 1783, “dumb and silent” many of us were “led, like sheep, to the slaughter.” Still the government’s message remained clear: trust the science and believe Dr. Anthony Fauci.

However, science is not belief; a scientist is not supposed to believe anything. It is the role of the scientist to question, debate, refute, and demonstrate with evidence—not blindly accept ideas based on a set of

beliefs. Yet over time, classical, evidence-based science has been usurped by hyper-monetized and hyper-propagandized institutions still hiding behind the mask of what it used to be.

For example, Fauci, who believes he represents science itself, has a long history of silencing dissent, neutralizing debate, and destroying the career of any scientist who disagrees with him by ensuring their research is never funded, published, or taken seriously. Many a scientist over the past fifty years has been vilified, ridiculed, and sacrificed at this altar of Fauci-ism and the profits that come with it. As a result, he has never been forced to debate or prove anything over his 54 years with the NIH. Yet he argues in the documentary FAUCI, “I’m the bad guy to an entire subset of people because I represent something that is uncomfortable to them. It’s called the truth.”

In that same film, Susan Rice waxed poetic about Fauci’s “fact-based, evidence-based leadership” while Bill Gates called him “a rockstar” for the truth. Indeed, the man who has graced everything from prayer candles to the covers of *InStyle* and *People* magazine has been touted as a symbol of consistency, integrity, and truth. And in collusion with social media, he became the curator of supposedly scientifically-based, evidence-based speech. Anything that did not meet that uniquely Fauci standard, whether on Facebook, Twitter, or even Pinterest, had to be destroyed faster than SARS-CoV-2 itself.

So, over our seven hour deposition, what did Fauci have to say about the “science” he supposedly represents? What evidence did he have to prove his unquestionable beliefs? Why did he flip-flop on the ineffectiveness of masks? Why did he try to hide the fact that he had been working with Dr. Peter Dazsak on gain-of-function research? Why did he actively collude with social media in an attempt to kill the lab-leak theory? And if the mRNA vaccines his NIH actively developed over the past decade were so effective, why did the multi-jabbed Fauci glare at the court reporter who happened to sneeze, then have her wear a mask because he “didn’t want to catch COVID?” Instead of providing us with answers, this supposed beacon of truth claimed he “could not recall” 176 times, all while evading questions, trying to run out the clock, and insisting he’s a very busy

man (with his signature condescension).

But the fact is, Fauci was never too busy to have Mark Zuckerberg and others actively censor those who did know, who were right, and who might have saved lives during this recent pandemic. Of course, Fauci insists another one is right around the corner; but thanks to this lawsuit, such censorship of voices in the name of “science” should never happen again. That is our goal moving forward: to ensure that your First Amendment rights are not only protected but also enforced. Hopefully then science can return to its rightful place in our society as an evidence-based pursuit of Truth, because anything less is simply Newspeak.

\$400 million

That's how much unregulated private money Mark Zuckerberg injected into the 2020 election via a nonprofit known as the Center for Tech & Civic Life (CTCL). This was done under the guise of promoting safety during the COVID-19 pandemic; however, a major goal of this effort was to increase the number of high risk drop boxes and mail-in ballots in specific locations across the country. Within Louisiana, this scheme targeted thirteen Parishes, with some set to receive contributions of more than \$500,000. However, private contributions to local election officials are unlawful in our State. Naturally, we sued.

The Claim

"So they used COVID as the disguise, right? They came in with all of these good intentions...we used to say the road to hell is paved with good intentions...but this was all about the great intention of 'hey, we're gonna make [the election] more secure. We're gonna make it safer. We want to make sure that people feel comfortable coming to the polls.' But that's not what they ended up doing."

— AG Jeff Landry, Rigged 2020

Our Investigation

"What we found in the first week of our investigation was that there were parishes in Louisiana that seemed to have been targeted. And those parishes were mostly democratic parishes. So they were basically bypassing or just kind of glossing over the more rural areas of the State and looking to hone their money into the more urbanized or democratically concentrated parishes."

— AG Jeff Landry, Rigged 2020

Louisiana Law

AG Jeff Landry sought a permanent injunction "prohibiting [Zucker Bucks & CTCL] from making, offering, advertising, proposing or in any other manner seeking to introduce or issue grants, contributions, donations, or any other funds into the Louisiana election system." At first, a district judge dismissed the suit, but a 3-judge panel at the Third Circuit Court of Appeal reversed that decision. The court agreed with our Office that the trial court's opinion was "legally incorrect," confirming that "our elections should never be for sale; private money should not fund our elections."

Lack of Standing

In the aftermath of the 2020 election, AG Jeff Landry made the following statement: "While some in the media and political class try to sidestep legitimate issues for the sake of expediency, I will continue to pursue legal remedies to protect our State's people from damage caused by other states counting unlawful votes or not counting lawful votes." He then joined a coalition of 17 state attorneys general in filing an amicus brief in support of the State of Texas in its lawsuit against the States of Pennsylvania, Georgia, Michigan, and Wisconsin.

"Only the Supreme Court can ultimately decide cases of real controversy among the states under our Constitution," he explained. "And that is why the Justices should hear and decide this case." Writing in support of the suit, the AGs highlighted the importance of our separation of powers (which serves as a check on government to safeguard liberty), the risks of voting fraud brought on by mail-in ballots, and the fact that these specific states abolished critical safeguards against fraud during this election. Undoubtedly, these actions affected the Nation as a whole.

In the aftermath, Texas brought the suit forward to preserve the integrity of our elections, while our office supported the very important Constitutional questions the case raised. However, the U.S. Supreme Court declined to hear the case on the basis that Texas lacked standing under Article III of the Constitution to challenge the results of the election held by another state. Regardless, the LADOJ is committed to preserving election integrity and making sure that your voice is not only heard, but also every legal vote is counted.



OUR

SOVEREIGNTY

The Dangers of Rhetoric

Yes, America is a nation of immigrants, but we are also a sovereign nation of laws; and when those laws are not enforced, chaos results. Surely chaos is the best word to describe the present situation on our Southern border. And that chaos is not only avoidable but also adversely impacts Louisiana, which must bear the crushing societal burdens of illegal immigration.

There is, of course, a legal pathway for aliens to immigrate to this Nation and ultimately obtain U.S. citizenship. Unfortunately, because of reckless “open border” policies, far too many aliens are allowed to enter the United States, and thus Louisiana, illegally—a decision that often pairs with severe consequences.

Some would have you believe that an open border is the compassionate choice, and that only a heartless community would dare turn those in need away. Yet the so-called “compassionate choice” actively promotes violent crime in the border region and beyond, including child exploitation and the trafficking of humans, drugs, and weapons. Human smugglers and traffickers use the cover of one humanitarian crisis after another to their advantage, while certain politicians seed public consciousness with reckless rhetoric, encouraging surge after surge of migrants to occur.

Our Border Patrol agents have often questioned unlawful migrants about why they waded across the Rio Grande or risked their lives to come here. The answer? Word has spread of “the lack of consequences for illegal entry,” they believed they would be allowed to stay, and some even assumed they would receive welcoming treatment by officers, who would then help them reunite with family and friends in the U.S.

Tragically, thousands of unaccompanied children and even infants are encountered at the border each year with nothing but a Hello Kitty backpack and the telephone numbers of U.S. relatives on a notecard.

Many fall prey to sex traffickers, drug cartels, and others. As a result, children cross the border with strange adults they do not know, only to be released into the United States and subjected to the complete opposite of the American Dream.

This only serves to harm the people of Louisiana, with the increase of illegal immigrants in our State, by the tens of thousands, leading to a higher crime rate, a greater consumption of public benefits and services, a strain upon our healthcare system, and increased competition for housing. Collectively, these surges cost Louisiana taxpayers more than \$362 million a year and have made our communities less safe.

For example, the Department of Homeland Security (DHS) operates multiple alien detention facilities in the Western District of our State, including the Pine Prairie ICE Processing Center and others in Oberlin, Plain Dealing, Jonesboro, Jena, Natchitoches, Monroe, Ferriday, Basile, and Winfield.

To further complicate matters, DHS often releases illegal aliens from these facilities into Louisiana cities, such as Lafayette, Monroe, and Shreveport. In fact, releases are so common that a California business advertises “immigration bail bonds in Lafayette” and urges illegal immigrants and their families to “contact our Louisiana bondsmen if you have a family member who finds him or herself in custody of DHS.”

All of this leads to increased crime and the expenditure of additional resources in Louisiana’s communities, which falls squarely on the shoulders of our law enforcement agencies. Yet this is not a problem unique to Louisiana, which is why, in the pages to follow, you’ll see how AG Jeff Landry has actively worked with others across our country to address some of the root causes of this situation. Nothing happens in a vacuum, and especially not the chaos caused by a dysfunctional (and illegal) response on the federal level to the issue of immigration and state sovereignty.



Public Safety > Politics

Immigration and Customs Enforcement (ICE) does more than arrest and deport illegal aliens. ICE's Homeland Security Investigations (HSI) also assists in investigating human trafficking, drug trafficking, financial crimes, and cyber crimes, including child exploitation. The calls to abolish ICE are nothing more than a political stunt that would have devastating consequences on our communities if enacted.

Hindsight is 20/20

To support ICE in the face of the dangerous movement calling for its abolition, AG Jeff Landry led twenty states in a petition for Congress to support the agency. As a result of his determined efforts, ICE remains a crucial member of our law enforcement community.

Sanctuary! But For Who?

In 2016, the City of New Orleans issued a new policy requiring that police officers neither inquire about immigration status of suspects, nor cooperate with federal immigration authorities such as ICE. At the time, nearly 5,340 illegal aliens were receiving SNAP benefits/food stamps from our State, even more had placed a \$3.2 million burden on our prisons, and roughly \$16 million had been spent in Medicaid welfare coverage. Moreover, this new policy was in direct violation of federal law, which AG Jeff Landry warned then-Mayor Mitch Landrieu repeatedly. The issue was then relegated to the political arena, where rhetoric and narratives spun a vastly different image of “sanctuary” than the reality.

For example, illegal aliens released by sanctuary cities often re-offend and are arrested for additional crimes, including rape and child sex abuse; yet even then, many are still not transferred to ICE for deportation. As a result, these policies encourage further illegal immigration, which only serves to put an even greater strain on our local and state law enforcement as crime rates rapidly climb, thus jeopardizing public safety within our communities. And you can be sure that what happens in New Orleans does not stay there—it quickly spills over to other cities across Louisiana.

“We lost a local Fire Chief due to an accident caused by an illegal immigrant,” AG Jeff Landry stated. “And we have seen children sexually exploited by illegal immigrants as well. It is flat out wrong when illegal immigrants have more rights than American citizens.”

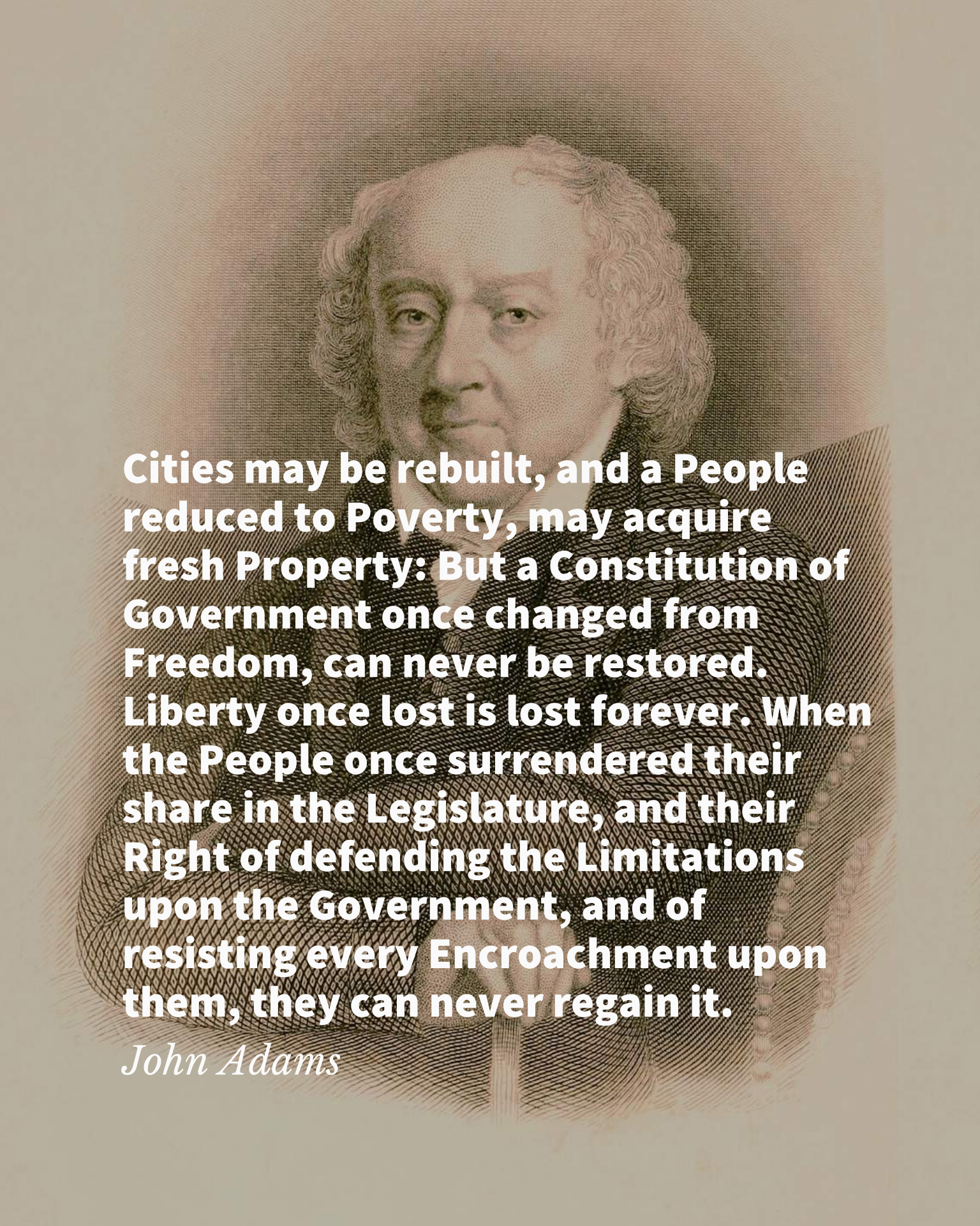
HB 1148 of the 2016 Regular Session would have banned funding to Louisiana cities engaged in sanctuary policies for these very reasons. AG Jeff Landry testified in support of it in 2016. Unfortunately, while the bill overwhelmingly passed the State House, it failed in the State Senate. Luckily, the Trump Administration and then-AG Jeff Sessions took the issue seriously, with President Trump issuing an executive order

taking similar action and causing any city providing “sanctuary” to lose their federal funding. It was then that the lawsuits began.

In response, AG Jeff Landry quickly led a multi-state coalition in defending President Trump’s efforts to ensure compliance with immigration law that prohibited sanctuary cities. He also led an eleven-state coalition to defend a Texas law that required local and state law enforcement to cooperate with federal immigration officials. We won that case in the U.S. Court of Appeals for the Fifth Circuit.

Yet the future remains unclear, as the Biden Administration seems determined to undo any and all progress made the Trump Administration on this issue. As the State’s most aggressive critic of sanctuary cities, AG Jeff Landry is not giving up.



A detailed engraving of John Adams, showing him from the chest up. He has long, wavy, light-colored hair and is wearing a dark, textured coat over a white cravat. He is looking slightly to the right of the viewer with a serious expression. The background is a simple, light-colored oval frame.

Cities may be rebuilt, and a People reduced to Poverty, may acquire fresh Property: But a Constitution of Government once changed from Freedom, can never be restored. Liberty once lost is lost forever. When the People once surrendered their share in the Legislature, and their Right of defending the Limitations upon the Government, and of resisting every Encroachment upon them, they can never regain it.

John Adams

King of the Hill

The Executive Branch does not have the administrative authority to confer eligibility for lawful presence or work authorization on illegal aliens simply because the Executive chooses not to remove them. Then-President Barack Obama knew this; yet he still announced that he would unilaterally create a program conferring lawful presence and work authorization for millions of illegal aliens.

“To those members of Congress who question my authority to make our immigration system work better,” he said in 2014, “I have one answer: pass a bill. And the day I sign that bill into law, the actions I take will no longer be necessary.” That same year he told an interviewer, “What you’re not paying attention to is, I just took an action to change the law.”

The policy merits of immigration laws are meant to be debated and decided by Congress. And before President Obama granted millions of unlawfully present aliens the legal classification of “lawful presence” without Congressional approval, Congress had already enacted extensive and complex statutes governing immigration and alien status —they just weren’t the ones President Obama wanted.

The Development, Relief, and Education for Alien Minors (DREAM) Act was first introduced to Congress in August 2001 and reintroduced in some form or other several times after. It would have allowed unlawfully present aliens to apply for lawful presence through conditional-permanent-resident status if, among other things, they had entered the U.S. before the age of 16 and had been in the U.S. continuously for five years. Barack Obama repeatedly urged Congress to pass it; yet Congress repeatedly declined to enact the DREAM Act. Frustrated, President Obama told the press in 2010, “I am not a king...I can’t just make the laws up by myself.”

Yet on June 15, 2012, Deferred Action for Childhood Arrivals (DACA) was announced, with eerily similar criteria to the DREAM Act. At the time,



the criteria covered approximately 1.7 million otherwise unlawfully present aliens; and by September 30, 2017, DACA relief had been conferred on approximately 800,000 people. And while Barack Obama insisted that “this memorandum confers no pathway to citizenship,” it indeed provided a pathway for more than 39,000 illegal aliens while granting lawful presence and work permits to nearly one million.

In 2017, following guidance from AG Landry and others, President Trump agreed to phase out the program, only to be blocked by a federal court in California. In 2018, a seven-state coalition challenged the program yet again, with AG Landry among the ranks. This time, we had a major win in the U.S. District Court for the Southern District of Texas, with the judge finding the program illegal. The issue eventually made its way to the U.S. Supreme Court, which issued a 5-4 decision on June 18, 2020, reversing the Trump Administration’s termination of the program on procedural grounds. In the end, this meant that some 650,000 illegal immigrants were allowed to remain in the United States under the protection of DACA.

Biden: “Brain Food for the Border, Not Louisiana”

An Op-Ed by Attorney General Jeff Landry

Sky and Storm were born four weeks early. The twins arrived weighing 5 pounds, 3 ounces and spent their first two weeks in the NICU.

Unfortunately, due to the infant formula crisis, their mother had to choose which of her premature babies received formula while the other suffered. What a terrible position this Sorento family found themselves in!

What’s worse: they were not alone. The stories in Louisiana have been heartbreaking. One mom could not find the rare product required for her baby’s specific dietary needs, while some mothers were forced to rely on members of their community to scour grocery store aisles and digital marketplaces.

Despite record-high fuel prices, parents drove hours away from home to source formula or pay price gougers hundreds of dollars for a few cans that lasted only a week or two. And no one has been hit harder than our neighbors who rely on WIC to feed their children.

Half of all infant formula in our country is purchased through the Special Supplemental Nutrition Program for Women, Infants, and Children – making the federal government the largest purchaser of infant formula. States are contracted with a single manufacturer, out of a mere handful to choose from, gaining rebates that equate to roughly 85% of wholesale cost.

In 2019, over 50% of all babies born in Louisiana received WIC benefits – forcing the majority of infants in our State to be dependent on Abbott Nutrition (via the federal government) producing safe baby formula for their dietary needs. Earlier this year, Abbott’s factory in Michigan was shut down for weeks due to bacterial contamination. Baton Rouge and

New Orleans, which account for 57% of infant formula consumers in our State, are still experiencing 25-28% out-of-stock rates.

Science has shown that infants who do not get proper nutrition during those early months are at risk for lifelong impairment and intellectual disability. Nutritional deficits have a direct proven impact on IQ scores – one standard deviation per nutritional neglect. Furthermore, watering down the formula to stretch supply can result in lifelong neurological problems and failure to thrive.

This horrific situation that too many Louisiana families have faced are the result of failed government policies, and the buck stops with the President whose FDA has made a bad situation far worse.

If Joe Biden's bureaucrats and his legacy media allies were honest, you would think the Biden Administration prioritized American citizens as Operation Fly Formula brought in baby formula from the European Union and Australia. But, like far too many things coming from the White House, that was not the case.

Instead of the necessary supplies going to our desperate neighbors, those pallets of baby formula were sent directly to the Southern border in an effort to feed, clothe, shelter, and provide medication to migrants pouring into our country illegally.

Bowing to the ultimate woke altar, Biden has put parents and newborns across Louisiana in distress. Instead of providing baby formula to law-abiding citizens along I-10, Biden delivered to illegals who crossed the Rio Grande. Rather than stocking up pantries in the ArkLaMiss, Biden amassed rations for border crossers in Del Rio. Do our low-income, minority, or rural families not matter to the President?

The truth remains that in order to give to someone, it requires taking from someone else. In this case, the federal government is taking brain power away from American children to feed thousands of illegal migrants flooding our border. This was never a global shortage; it was an American one, and now Americans are being forced to pay the price.

As if the record inflation, crime surge, and COVID mismanagement were not enough, Biden's failed policies have led to this latest dangerous predicament. The baby formula shortage is yet another stark reminder that you get the government you vote for.

Stop the Spread

On March 11, 2020, the WHO declared COVID-19 a pandemic. On March 13th, the Trump Administration declared a national emergency and issued a travel ban to stop the spread. That same month, he also issued Title 42, a public health law originally enacted in 1944 that allows the CDC to stop people from entering the U.S. due to a communicable disease. It also allowed for the rapid expulsion of unauthorized border crossers, resulting in more than 185,000 migrants expelled on public health grounds in 2020.

Similarly, the Biden Administration used Title 42 to expel 937,000 migrants in 2021 and 983,000 in 2022. Then, on April 1, 2022, the Administration issued an order terminating Title 42. This was at a time when masks were mandated by commercial airlines, quarantines were still required in some cases, and it was strongly “recommended” that citizens provide proof of vaccination or a negative COVID test. Yet by ending this public health order, the Biden Administration would open up our borders to the single largest influx of illegal immigrants in American history. And instead of lifting mask mandates for Americans, Joe Biden lifted Title 42.

So AG Jeff Landry, joined by his colleagues from Arizona and Missouri, sued the Biden Administration in federal court three days after its announcement. The court agreed that the Biden Administration improperly rescinded Title 42. However, in a parallel lawsuit in Washington, D.C., to which Louisiana was not a party, a federal judge held that the original Title 42 order issued by the CDC in 2020 was invalid. As a result, the order rescinding Title 42 was delayed.

The public health order was scheduled to terminate on December 21, 2022; but AG Landry sought a stay at the U.S. Supreme Court, which agreed to pause the termination pending its consideration on certiorari. The Supreme Court will hear oral arguments on the case on March 1, 2023. At the time of this writing, Title 42 remains in place.

Numbers Game

Our asylum laws provide protection for those fleeing “persecution,” as that term is defined by federal law. Those leaving their country because of widespread poverty, violence, or corruption are not eligible for asylum under our laws. Therefore, the vast majority of aliens illegally entering our southern border are not “asylum seekers,” but economic migrants.

A record number of these migrants have entered the U.S. illegally since January 20, 2021, with more than 300,000 known “getaways” in the beginning of 2022. These surges of illegal aliens greatly benefit both drug cartels and human traffickers, who coordinate crossing the border during times when our Border Patrol are most distracted and overwhelmed. Therefore, large groups of alien “caravans” illegally crossing the border enable criminals to enter our country unimpeded.

As a result, our current system is rife with fraud and frivolous asylum claims; yet Immigration Judges under the umbrella of the U.S. DOJ facilitate an adversarial process through which an alien’s case can be subjected to vigorous scrutiny by ICE prosecutors. A baseless asylum claim may be able to pass the notoriously lax initial credible fear review by agents of the Department of Homeland Security (DHS); but once that claim is heard by an Immigration Judge who has specialized in this complex issue, less than 15% are approved.

Of course, the Biden Administration argues that this process must be reformed by allowing DHS asylum officers to hear asylum claims instead of Immigration Judges, claiming a backlog of cases; but the fault lies not in the judges or their process. In fact, more than one-third of all aliens referred by DHS for a credible fear determination never actually bother to file an application; and only 17% of pending caseload is related to this issue. Nevertheless, Joe Biden and his allies wish to completely do away with this process, allowing asylum officers to grant asylum after a non-adversarial “interview.”

One reason offered is a lack of detention spaces. Yet Congress commanded that aliens be detained while their application of asylum is considered. If migrants could not be detained, Congress provided the alternative that they remain in Mexico. In other words, the law states that the options are mandatory detention or wait out the asylum process in Mexico. There are limited exceptions where parole into the U.S. may be offered on a case-by-case basis for urgent humanitarian reasons; but parole is not the legal solution to limited detention space.

To put this into context, during President Trump's last full month as President, U.S. Customs and Border Protection (CBP) paroled 17 aliens caught at the border into the interior of our Nation. Since Joe Biden took office, his CBP has paroled over 51,000—a mind boggling 300,882% increase. Curiously, while the Biden Administration defends these numbers by claiming detention facilities are overcapacity, it also submitted a budget request to Congress that would decrease DHS's alien detention capacity by 25%. Now they argue that a new Asylum Rule is the solution, even though that rule usurps Congressional authority in an attempt to rewrite statutory law.

The proposed rule would ultimately remove Immigration Judges from the asylum process and give that authority exclusively to asylum officers within the DHS, who are more susceptible to political influence and less independent than Immigration Judges. Such changes would drastically erode asylum integrity safeguards, substantially increase non-meritorious asylum claims, and further incentivize illegal immigration—all of which benefits drug cartels and human traffickers far more than anyone with a legitimate claim for asylum. And as cartel violence, drug-related crime, and drug overdoses skyrocket, that will inevitably strain law enforcement while putting Louisiana communities at risk.

Naturally, AG Jeff Landry fought back by challenging the new rule in court. Joining nineteen others, he filed suit against the Biden Administration in federal court; then an amended complaint, adding new information obtained during an initial discovery period, was filed on November 10, 2022. So the fight continues to keep our asylum process fair.

Common Sense

Food stamps, cash assistance, Medicaid, and other forms of government welfare are meant for American citizens and qualified permanent resident aliens at the expense of hardworking taxpayers. It was common sense for the Trump Administration to reform immigration policy to ensure that immigrants are able to support themselves financially, rather than live off American benefits.

A Nation's Values

The Biden Administration quickly took steps to reverse this change, while Homeland Security Secretary Alejandro Mayorkas said the Trump “public charge” rule was “not consistent with our Nation’s values.”

In Our Defense...

AG Landry and eleven others asked a federal appeals court for permission to defend the rule, arguing that Biden's move would burden our already overstrained welfare programs for Americans most in need. They also argued that hardworking taxpayers should not have their tax money taken to fund those who have crossed our border in search of free benefits, or who have a history of using public benefits and welfare when it wasn't theirs to use.

Limbo

The case made its way before the U.S. Supreme Court where the Biden Administration sought to dismiss the challenge to the "public charge" rule. Arguments were heard from the Republican AGs wanting to maintain President Trump's policy change; yet in the end, the Justices declined to consider the case. So, as it currently stands, Biden's reversal is the rule of the land.

SHALL, MAY, MUST

Federal law requires that dangerous criminal aliens and drug offenders be taken into federal custody by ICE after they complete sentences for criminal offenses. To be clear, these are not low-level drug offenses related to personal use. At least four recent convictions for marijuana possession involved at least fifty pounds of the drug, while others were convicted of drug offenses ranging from possession of various controlled substances (e.g., cocaine, methamphetamines, fentanyl) to the manufacture and delivery of them.

Still, the Biden Administration issued unlawful directives that changed priority immigration enforcement categories to exclude “aliens convicted of serious drug offenses, aliens convicted of crimes of moral turpitude, and aliens subject to a final order of removal.” Furthermore, the administration instructed federal officials that where the law states “shall detain,” for certain aliens that really means “may detain,” even when it clearly means “must detain.”

As a result, ICE was no longer removing individuals subject to mandatory deportation. This allowed criminal aliens, already convicted of felony offenses, to roam free in the U.S. after completing their prison sentences. This decision placed great burdens on the State of Louisiana: the cost of the crimes these individuals committed once free, the cost of investigating and prosecuting those crimes, the cost of monitoring or supervising criminal aliens, the cost of social services utilized when not detained, and the cost of detention, healthcare, and even education.

That is why AG Jeff Landry, together with Texas AG Ken Paxton, sued the Biden Administration, arguing that its Migrant Protection Protocols violated federal immigration laws. In response, a federal judge issued a preliminary injunction. The President then asked the U.S. Supreme Court to intervene; but the High Court declined to overturn the lower court’s decision. Therefore, criminal aliens must be detained and deported, in a major win for both Louisiana and Texas.

RESIGN!

In the past, Democrats and Republicans alike have always prioritized the removal of criminals here illegally, including when Alejandro Mayorkas was Deputy Secretary of DHS from 2013-2016. However, once Mayorkas became U.S. Department of Homeland Security Secretary for the Biden Administration, he changed his mind, refusing to deport some of the most dangerous criminals who have crossed our border illegally.

Under his failed leadership, deportations have fallen a staggering 70% since 2020 while the number of sex offenders arrested while entering our country has increased by an astounding 213%. No attempt has been made to vet or certify the thousands of illegal immigrants entering through the southwest border either. At the same time, U.S. Customs and Border Protection has seized enough fentanyl to kill every man, woman, and child in our country six times over—an increase of more than 30%. “If that much was detected and seized, we shudder to think how much more is slipping through each day,” AG Jeff Landry said.

That is why AG Landry and thirteen of his colleagues collectively called for Mayorkas to resign, citing his failure to enforce federal law and secure the southwest border. They argued that he has failed at his chief responsibility: protecting our homeland. “Given your unlawful catch and release policies,” our Attorney General argued. “We are left with many other unanswerable questions, like how many children are now being trafficked in our communities and how many sex offenders now prowl our streets.”

We still await his response.



In Closing

Over the past seven years, our office has had the privilege of serving you, the people of Louisiana. And through many legal battles, both locally and on the national stage, we have done our best to protect our land, ensure your rights, defend the doctor-patient relationship, and hold criminals accountable. We have also fought against corruption, fraud, scams, and censorship, while protecting our sovereignty as a State.

None of this would be possible without the hard work of hundreds of individuals who choose to serve our State and her people by putting their unique gifts to work at the Louisiana Department of Justice. Every one of our successes has been the result of collaboration between some of the best legal minds in our State, supported and enriched by the hundreds of staff members, experts, researchers, game changers, and creatives.

That is how we have accomplished so much, for you, in such a short time: by working together and always remembering that our job is to protect this State, her culture, and our people.

It's been a productive seven years, and we're not done yet.

For Louisiana,

A handwritten signature in black ink, appearing to read "Jeff Landry". The signature is written in a cursive, flowing style with a large, sweeping flourish at the end.

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