

2023 Annual Report



A Letter from the Attorney General

Peter F. Neronha



As Rhode Islanders, we take great pride in our state – as we should. We have a majestic coastline, treasured natural resources, world-renowned universities and culture, and our greatest asset – **our people**.

And as Attorney General, it is my solemn responsibility to confront and tackle some of the persistent challenges facing our State: from the climate crisis to health care insecurity to corporations putting profits over people; the issues we face need to be addressed urgently.

This Office centers the people of Rhode Island first and foremost – shielding them from deceptive sales practices and fraud, holding accountable those who harm our environment, advocating on behalf of victims of violent crime, and protecting them from health hazards such as lead poisoning – in 2023 alone.

We have a team of more than 260 lawyers and staff members constantly working to preserve and improve the quality of life for the people of Rhode Island. Our Office's employees show up every day not because the job is easy, but because they believe in the work. And I'm grateful to each employee for their commitment and contributions to our mission.

As you will see in the pages that follow, the results speak for themselves, and I'm enormously proud of all of the attorneys and staff who together achieved those results. There is no doubt this Office has changed over these past five years, and it is stronger than ever.

It is my hope that this annual report serves as a small glimpse of the actions of our Office. I pledge that I will continue to fight on behalf of all our community members through the end of my term and beyond. This Office has a tremendous amount of ability and authority, and I am glad that we are finally using it to effectuate meaningful change for our state.

It is my great honor to serve as your Attorney General, and with my Office of dedicated public servants, we will continue to work to improve the lives of all Rhode Islanders.

Table of Contents

04

Keeping Our Communities Safe

07

Preserving Our Environment

09

Protecting Public Health

10

Standing up to Powerful Interests

11

Defending Workers & Consumers

13

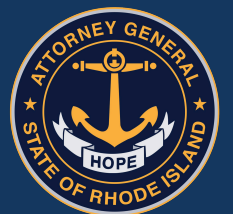
Advocating for Victims

14

Promoting Transparency & Accountability

15

Law Enforcement Statistics



Keeping Our Communities Safe

Delivering Results

The **Criminal Division** is comprised of **150 staff members**, consisting of prosecutors, investigators, victim advocates and support staff. Cases are prosecuted by attorneys assigned to specialized units focusing on, public integrity, civil rights, narcotics and violent crimes, gangs, firearms, medicaid fraud, and special victims, including child abuse, domestic violence, sexual assault, and elder abuse.

In 2023, the Criminal Division handled **34 trials** overall. Of those cases tried, prosecutors secured **22 guilty verdicts**, nine defendants were found not guilty; and three cases resulted in a hung jury.

Some notable verdicts:

- A jury found **Amado Duverge (age 38)** guilty of straw-purchasing firearms and trafficking them to prohibited buyers (October 30).
- Following a four-day trial, **Francisco Vasquez (age 37)** was convicted by a jury for sexually assaulting a female victim in Warwick in 2021 (July 13).
- A jury convicted **Justin Chandler (age 23)** for murder and related assault and firearms counts stemming from a 2021 gang-related shooting that killed 22-year-old Devin Delacruz (June 9).
- Following a four-day trial, a jury found **Craig Preuit (age 43)** guilty of one count of second-degree child molestation for sexually assaulting a female victim under the age of 14 between 2018 and 2020 (September 11).

Gun Laws in Action

Ghost guns continue to be sought out more frequently by those who are otherwise prohibited from lawfully purchasing or possessing guns in Rhode Island. In 2023, the Office charged and disposed of **99 cases** involving ghost guns.

In 2021, the General Assembly strengthened laws against **straw purchasing**, which occurs when an individual purchases or obtains a gun for another person, knowing that the other person is prohibited from possessing a firearm. These laws go right to the heart of ensuring that firearms don't fall into the wrong hands in Rhode Island. The Office charged **seven cases** of straw purchasing in 2023.

In 2022, the General Assembly passed a bill banning **large capacity feeding devices**. Since then, the Office has begun charging cases under the new ban. In 2023, there were **293 cases** involving magazines with a capacity between 11-30+.



Keeping Our Communities Safe

Combating Violent Crime with New Tools

Throughout 2023, Attorney General Neronha continued leading legislative and technological efforts to empower law enforcement in tracing and combating the root causes of gun violence in Rhode Island. These innovations enable the Office to aggressively confront and deter the usage of ghost guns and the practice of straw purchasing. Additionally, the Office oversaw 348 cases involving large capacity magazines in 2023.

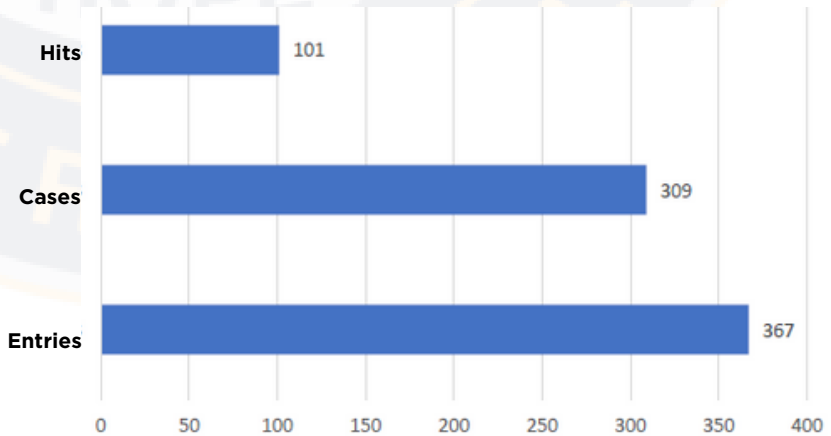
In 2022, the Office connected to the **National Integrated Ballistic Information Network (NIBIN)**. By capturing and comparing ballistic evidence, law enforcement can now generate leads in as few as five hours. These crucial identifications empower the Office to crack cases even faster, getting violent offenders off the street quicker than ever before, making Rhode Island safer.



In 2023, the Office successfully prosecuted **Isaiah Pinkerton** for the murder of **24-year-old Miya Brophy-Baermann** in 2021. Through the NIBIN database, investigators traced a ghost gun uncovered during a routine motor vehicle stop to the weapon used in Brophy-Baermann’s shooting. Pinkerton is serving a double life sentence at the ACI for the crime.

2023 RIAG NIBIN Entries

Represents the total acquisitions (casings entered), cases (distinct incidents), and hits (positive correlation) for the RIAG NIBIN in 2023.



Keeping Our Communities Safe

A Proactive Approach

The Office is laser-focused on **effective and aggressive enforcement** of our firearms laws, which requires **proactive measures** aimed at keeping guns out of the hands of criminals and preventing violent crime in the first place, as well as **prosecution and enforcement**, to ensure both accountability and deterrence.

This approach includes enforcement of laws meant to keep firearms out of the hands of those who have been convicted of a felony, or are otherwise prohibited from possessing a firearm. To that end, the Office has begun proactively investigating National Instant Background Check (NCIS) denials, resulting in charges in several cases alleging that defendants **falsified federal firearm applications** when attempting to purchase a weapon. Moreover, the Office regularly **conducts checks** of local arms dealers to ensure that they are following Rhode Island firearms laws. Knowing that the Office will be vigilantly enforcing these laws has served a significant deterrent effect, engendering increased compliance.

The Office has also recently established a new position – hiring a **Director of Community Violence Intervention and Prevention**. This new role will allow the Office to take a proactive approach to violence intervention, spearheading outreach to local community organizations and stakeholders, coordinating violence prevention efforts, and implementing both novel and evidence-based strategies and programs with the overall goal of creating safer communities.

Second Chances

Expungement is the process by which a record of criminal conviction is destroyed or sealed from the court record. An expungement order directs the court to treat the criminal conviction as if it had never occurred, essentially removing it from a criminal record.

Criminal convictions can be prohibitive to finding employment, housing, and other basic needs. For this reason, the Office created an expungement program for certain criminal arrests or convictions, including some misdemeanor crimes and certain non-violent felonies. Since its inception in 2020, and as of February 2024, the Office completed **2698 expungement applications**, with **1609 applicants learning that all or some of their charges were eligible for expungement**.

In 2023, the Office's **Bureau of Criminal Investigation** reviewed **20,023 court-ordered expungements** including **automatic expungements of simple marijuana possession convictions** as ordered when the substance became legal for recreational use in Rhode Island in 2022.



The Office hosts an expungement clinic for the public in February 2024

Preserving Our Environment

Paying for Pollution

Access to and enjoyment of Rhode Island's unique natural resources should be available for all as a cornerstone of our public health and quality of life.

Throughout 2023, Attorney General Neronha continued his ardent defense of the environment. These efforts span months of careful investigation and collaborative partnership with the United States Department of Transportation, the United States Department of Labor, the United States Office of Inspector General, and the Rhode Island Department of Environmental Management (DEM).



Attorney General Neronha speaks at press conference announcing charges against Barletta

Protecting the Blackstone

Nicknamed “America’s Hardest Working River” for its history as the birthplace of America’s Industrial Revolution, the **Blackstone River** is a critical water source and Ocean State landmark.

In March 2023, Attorney General Neronha and Department of Environmental Management (DEM) Director Terry Gray filed suit against the **City of Woonsocket, Jacobs Engineering Group** and **Synagro Woonsocket** for discharging partially treated sewage into the Blackstone River throughout 2022 and 2023, despite multiple prior warnings.

Contamination Culpability

In January 2023, Attorney General Neronha charged Massachusetts construction firm **Barletta Heavy Division (Barletta)** with illegally dumping over 4,500 tons of contaminated soil and stone during the construction of the \$247 million Route 6/10 Interchange project. The project began in 2018.

Per state law, Barletta was required to analyze any fill brought to the project site for contaminants and certify their suitability for use. As alleged, they failed to do so.

Additionally, the state also charged former Barletta project superintendent **Dennis Ferreira** for allegedly providing an environmental testing report with analysis from a different site to hide the fact that the Route 6/10 project site materials were contaminated.

Preserving Our Environment

PFAS

In May 2023, Attorney General Neronha filed a lawsuit against **per- and polyfluoroalkyl substance (PFAS) manufacturers** for knowingly marketing and selling hazardous chemicals under deceptive pretenses at the expense of Rhode Island’s residents and natural resources. Research shows that exposure to these **“forever chemicals”** can significantly and adversely affect reproductive health and increase cancer risks. PFAS was commonly used for firefighting and other emergency response operations at military and industrial facilities, airports, fire stations, and other locations throughout Rhode Island. The **Rhode Island Department of Health, the Rhode Island Department of Environmental Management and Brown University** researchers detected elevated PFAS levels in numerous sources of contaminated ground and drinking water.

Attorney General Neronha also sought to hold defendants **3M** and **DuPont** accountable for intentionally moving assets to avoid paying for damages. Damages from the defendants will enable Rhode Island to cover the costs of tracing and remediating PFAS contamination.



“

These companies concealed from the public, regulators, and consumers the dangers posed by these chemicals and now their chemicals have infiltrated virtually everywhere from our waterways to our bloodstreams. They have broken the law and harmed the people and natural resources of Rhode Island. We intend to hold them accountable for that.

Attorney General Neronha on PFAS

”

MBTEs

Methyl tertiary-butyl ethers (MBTEs) are a probable human carcinogen commonly used as a gasoline additive. Removal is costly, and even low levels of groundwater contamination endanger public health.

In December 2023, Attorney General Neronha resolved Rhode Island’s lawsuit against **Exxon Mobil** for polluting soil and groundwater with MBTEs, jeopardizing the communities that depend on them.

In total, Rhode Island will receive more than **\$26 million** in MBTE-related litigation from major refiners. **Exxon Mobil** alone will pay the state \$6 million. The Office will oversee these funds’ distribution in supporting emergency response and ongoing MBTE contamination remediation



Protecting Public Health

Lead Poisoning Prevention

Rhode Island has a lead paint problem. Lead is a toxic metal most common in houses built in Rhode Island before 1978, when lead-based paint was banned for use in homes in the U.S. And nearly 80% of Rhode Island’s housing was built before 1978. The **Lead Hazard Mitigation Act of 2002** required remediation of properties containing lead paint. The problem: compliance and enforcement.



Lead Poisoning Prevention Celebration event in October 2023

In June 2023, the Rhode Island General Assembly **passed a package of bills** introduced at the request of Attorney General Neronha to address lead poisoning and promote healthy housing. The new laws represented the most significant tenant protections seen in Rhode Island in a generation, as well as the most significant healthy housing legislation since the passage of the Lead Hazard Mitigation Act of 2002.

The new laws allow for enforcement of the existing lead poisoning prevention laws by establishing a statewide **rental registry**, allowing tenants to pay rent into an **escrow account** when there are unaddressed lead issues in their homes, and provide an avenue for families affected by childhood lead poisoning to **recover up to three times their actual damages**.

“

Now that we have laws to enforce compliance, we need... to ensure that landlords are held accountable and necessary remediation takes place.

Attorney General Neronha

”

Health Care in Practice & Policy

Over the course of 2023, the Office continued its important work in health care – not because the Office was intrinsically built to do so, but because there is a need in the state for forward-thinking leadership on this critical issue. From **bringing litigation against a private equity hospital operator** to protect access to quality health care, to joining a lawsuit to **ensure continued access to the abortion medication**, the Health Care Unit continued the important work of ensuring quality health care is accessible and affordable for all Rhode Islanders.



Standing up to Powerful Interests

Opioid Accountability

The opioid epidemic has had devastating impacts on communities across the United States, the impact of which is still felt decades later. In 2022 alone, more than 430 Rhode Islanders lost their lives to accidental overdose, with over 380 of those deaths attributed to opioids.

In December 2023, the Office filed consent judgements with national pharmacies **CVS**, **Walmart**, and **Walgreens**, effectuating more than **\$56 million** in settlement recoveries to the State, as part of a multi-state effort to hold them accountable for their role in the devastating opioid epidemic.

To date, the Office has recovered more than **\$330 million** in cash and lifesaving medication for Rhode Island in settlements with opioid manufacturers, distributors, and consultants who advised those companies. All funds recovered through Rhode Island's opioid settlements must be used for opioid treatment, prevention, and recovery efforts to combat the opioid epidemic.



“

While no amount of money will ever be enough to undo the harm [these pharmacies] have caused to Rhode Islanders and their families, through these now-finalized settlements, we can continue to fund desperately needed resources for [opioid] treatment, prevention, and recovery efforts.

Attorney General Neronha

”

Defending Shoreline Access

In 2023, Attorney General Neronha continued working to preserve and secure public access to the shoreline. In September 2023, the Office successfully defended a **new shore access law**, passed in June 2023, which gave Rhode Islanders the right to access the shore so long as they are no less than 10 feet from the high tide line.

The **Rhode Island Association of Coastal Taxpayers (RIACT)** brought the suit and a Federal District Court Judge dismissed it.

Defending Workers & Consumers

Solar Panel Sales Deception

The residential solar panel industry is booming. While these panels are a great way to help Rhode Island reach its climate goals, deceptive sales tactics are running rampant. These behaviors can rightfully foster distrust among those who wish to do their part to mitigate climate change.

In July 2023, Attorney General Neronha filed a lawsuit against **Smart Green Solar, LLC** (Smart Green) and its **CEO Jasjit Gotra** for violating the Rhode Island **Deceptive Trade Practice Act (DTPA)** and engaging in a pattern of unfair and deceptive trade practices with Rhode Island consumers. The lawsuit alleges that Smart Green engaged in a pattern of deceptive and unfair trade practices in their door-to-door sales, including convincing a visually-impaired consumer to purchase 33 panels, while only installing 21 panels.

“

Businesses that deceive consumers for profit should heed this lawsuit as a warning; our Consumer Protection Unit continues to grow in size and talent, and we will weed out companies that don't play by the rules.

Attorney General Neronha

”

Consumer Protection Unit

By the numbers: 2023



344 consumers received positive outcomes



\$508,401.17 in value returned to Rhode Island consumers

The Office's Consumer Protection Unit, staffed by three investigators who field consumer complaints, returned more than \$500,000 to 344 consumers in 2023.

As alleged, Rhode Island consumers confirmed to the Office that they believed Smart Green salespeople misled them throughout the sales process, particularly regarding their eligibility for the federal Residential Clean Energy Tax Credit, and other financial benefits they could expect to receive.

In November 2023, the Office filed a motion to amend and supplement the complaint with new allegations, including offering new customers a \$1,000 “sign-up” bonus and \$1,000 for each person they refer, but not disclosing that they actually charge their customers for these incentives.

Attorney General Neronha continues to warn consumers about misleading practices in the solar industry, referring consumers interested in learning more about safely purchasing residential solar panels for their home to the Office's dedicated website.

Defending Workers & Consumers

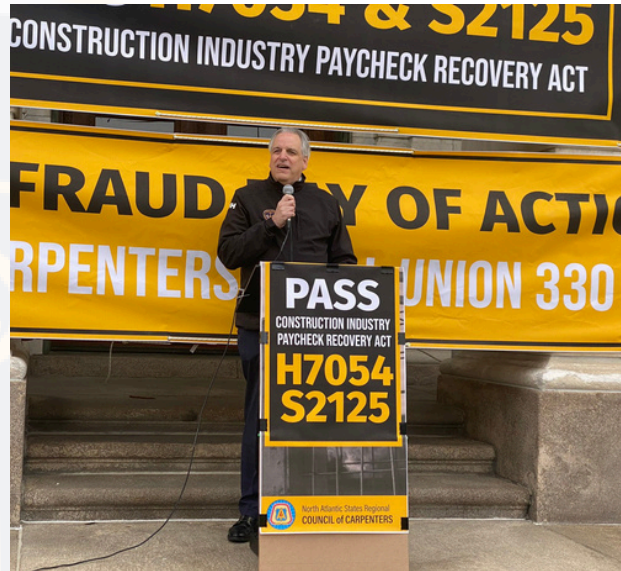
Fighting Wage Theft & Misclassification

Employers who fail to pay workers their hard-earned wages or misclassify them as independent contractors not only cheat their workers, but also cheat Rhode Island taxpayers. Since 2019, Attorney General Neronha has aggressively pursued companies who do not play by the rules and deny employees hard-earned wages or attempt to cheat the system through worker misclassification.

In June 2023, the Rhode Island General Assembly passed a bill introduced at the request of Attorney General Neronha that strengthened laws against both **wage theft**, making it a felony, and **misclassification**. Now, employers that knowingly and willfully fail to pay an employee more than \$1,500 in wages could face up to three years in prison and pay fines. Additionally, the Department of Labor and Training (DLT) can now investigate instances of suspected misclassification using the current test developed under the Federal Fair Labor Standards Act.

“
Wage theft and worker misclassification is a serious, ongoing problem that warrants serious law enforcement attention - including prosecuting those who steal from their workers.
 ”

Attorney General Neronha



Attorney General Neronha speaks about wage theft at Carpenters Union's 5th annual Tax Fraud Day of Action

Auto-Dealer Accountability

Since taking office, Attorney General Neronha has taken on an industry-wide effort to crack down on unfair and deceptive practices in the auto sales industry with a particular focus on junk fees and unwanted add-on products.

In July 2023, the Office reached an agreement to resolve three enforcement actions against Rhode Island car dealerships for deceiving consumers by charging automatic add-ons and fees not included in the advertised price and other illegal advertising practices.

As a result of the agreement, the three dealerships must pay **\$557,815**, including **\$457,815** in direct restitution to consumers. The agreement also **prohibits the dealerships from engaging in these practices in the future.**

Advocating for Victims

Cold Case Unit

Unsolved cold cases leave victims seeking justice and closure for years and, in many cases, decades. In 2023, Attorney General Neronha requested funding for a **Cold Case Unit** in the Office's budget request to the Governor. Through the General Assembly, the Attorney General received funding for 15 new positions, including those which would staff the Cold Case Unit.

The Cold Case Unit is comprised of dedicated prosecutors, investigators, and staff who focus their attention on unsolved murders and support state and local police departments in their investigations, adding value in the pursuit of justice for victims and their loved ones.



Attorney General Neronha places memorial wreath during Victim's Grove Memorial Event

“

With knowledge comes power, and victims deserve to know the rights they have and what services are available to them to help them in the aftermath of such trauma.

Attorney General Neronha

”

Sexual Assault Victims' Rights

The Office prosecutes many sexual assault cases each year – and yet we know sexual assault is chronically under-reported. One barrier to justice is a lack of knowledge surrounding victims' rights. In April 2023, Attorney General Neronha, alongside community and legislative partners, addressed this challenge by publishing Rhode Island's first **Sexual Assault Victim's Bill of Rights**.

The Bill of Rights sets forth the rights held by victims of sexual assault in Rhode Island. This document informs victims of the rights available to all victims of sexual assault in Rhode Island, even if they choose not to participate in the criminal justice system or decide not to obtain a medical examination. The Bill of Rights includes information on rights like obtaining a medical examination and sexual assault evidence kit, consulting with victim advocates, and obtaining information regarding the results of their sexual assault evidence kit.

Transparency & Accountability

Open Government

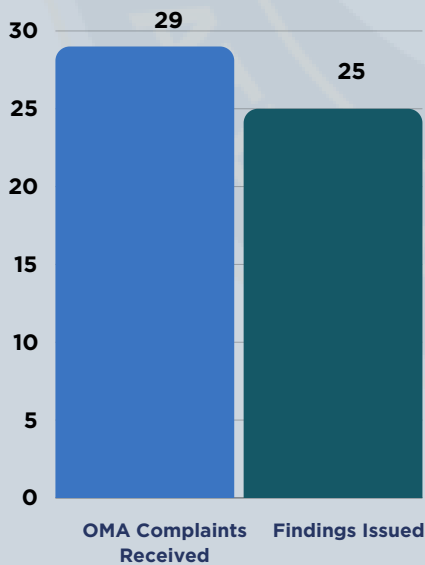
Through the Office’s **Open Government Unit**, Attorney General Neronha leads the Ocean State in fostering the transparency required to maintain a functional democracy. The Open Government Team investigates alleged violations related to the **Access to Public Records Act (APRA)** and the **Open Meetings Act (OMA)**, among other responsibilities.

In July 2023, the Office hosted its annual **Open Government Summit** in partnership with **RWU Law Alumni Association**. The summit offers both practitioners and members of the public invaluable insight on best practices in promoting a more transparent government. The 2023 Summit saw massive participation, including **1,000+ registrations** and **4,300+ views on YouTube**.

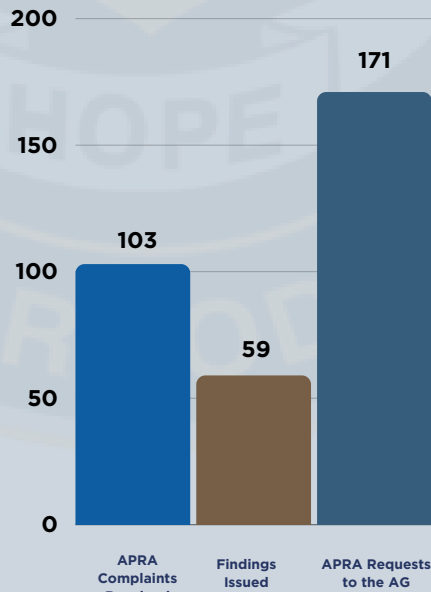
Gregg and Sherman v. Office of the Governor

In 2023, the Open Government Unit investigated a complaint that the **Governor’s Office** violated the **APRA** by withholding an email asserting allegations of misconduct against two senior state employees on an official work trip. In response, the Governor’s Office claimed that the email was exempt from disclosure based on exemptions related to investigatory records and on the privacy balancing test. Ultimately, the Office concluded the cited exemptions did not apply in this case, requiring the Governor’s Office to disclose the requested email.

2023 OMA Statistics



2023 APRA Statistics



OMA Violations Found: 13
Warnings Issued: 13
Litigation/Civil Penalties Sought: 0

OMA Written Advisory Requests Received: 2
OMA Advisory Opinions Issued: 3

APRA Violations Found: 24
Warnings Issued: 24
Litigation/Civil Penalties Sought: 0

APRA Written Advisory Requests Received: 2
APRA Advisory Opinions Issued: 1



Law Enforcement Statistics

From: 01/01/2023 to: 12/31/2023

SUPERIOR COURT CASE STATISTICS									
	FILED			DISPOSED			ACTIVE PENDING SC		
COUNTY	MISD	FELONY	TOTAL	MISD	FELONY	TOTAL	MISD	FELONY	TOTAL
Kent	175	657	832	154	514	668	271	2580	2851
Newport	105	279	384	47	111	158	109	807	916
Providence	867	3630	4497	568	3064	3632	1027	11149	12176
Washington	68	269	337	66	222	288	100	1062	1162
Statewide	1215	4835	6050	835	3911	4746	1507	15598	17105

AGE AT DISPOSITION										
	< 90 DAYS		91- 180 DAYS		181- 270 DAYS		271- 360 DAYS		360+ DAYS	
COUNTY	MISD	FELONY	MISD	FELONY	MISD	FELONY	MISD	FELONY	MISD	FELONY
Kent	53	105	29	50	23	76	16	76	33	209
Newport	20	15	10	15	8	14	4	14	5	53
Providence	177	406	111	366	79	356	56	356	143	1623
Washington	19	22	16	35	17	41	12	41	2	83
Statewide	269	548	166	466	127	487	88	487	183	1968

MANNER OF DISPOSITIONS - FELONIES										
COUNTY	GUILTY	NOT GUILTY	NGRI	NG/FILING	PLEA	DISM 48A	DISM JA	MISTRIAL	HUNG JURY	OTHER
Kent	2	1	0	0	402	71	0	0	0	16
Newport	2	0	0	0	69	36	0	0	0	4
Providence	14	4	0	1	2356	562	1	0	2	108
Washington	2	1	0	1	178	35	1	0	0	2
Statewide	20	6	0	2	3005	704	2	0	2	130

MANNER OF DISPOSITIONS - MISDEMEANOR APPEALS										
COUNTY	GUILTY	NOT GUILTY	NGRI	NG/FILING	PLEA	DISM 48A	DISM JA	MISTRIAL	HUNG JURY	OTHER
Kent	2	2	0	1	117	24	0	0	1	4
Newport	0	0	0	0	30	14	0	0	0	2
Providence	0	1	0	1	436	107	1	0	0	19
Washington	0	0	0	0	50	16	0	0	0	0
Statewide	2	3	0	2	633	161	1	0	1	25

MANNER OF DISPOSITIONS - STATEWIDE TOTALS										
COUNTY	GUILTY	NOT GUILTY	NGRI	NG/FILING	PLEA	DISM 48A	DISM JA	MISTRIAL	HUNG JURY	OTHER
Kent	4	3	0	1	519	95	0	0	1	20
Newport	2	0	0	0	99	50	0	0	0	6
Providence	14	5	0	2	2792	669	2	0	2	127
Washington	2	1	0	1	228	51	1	0	0	2
Statewide	22	9	0	4	3638	865	3	0	3	155

Statistics were prepared by the Criminal Division based upon Case Management System (CMS) data on December 31, 2023. AG Trial Verdict Statistics were maintained manually within the Criminal Division and include all cases tried throughout the calendar year, regardless if sentencing or appeal is pending.

The Office of the Attorney General is comprised of 260 lawyers and staff members, each of whom comes to work every day to do their part in protecting and improving the lives of Rhode Islanders.



We are proud of our employees and their countless contributions, and we are grateful to the people of Rhode Island for entrusting us to be their advocates.

Here's to another great year.

