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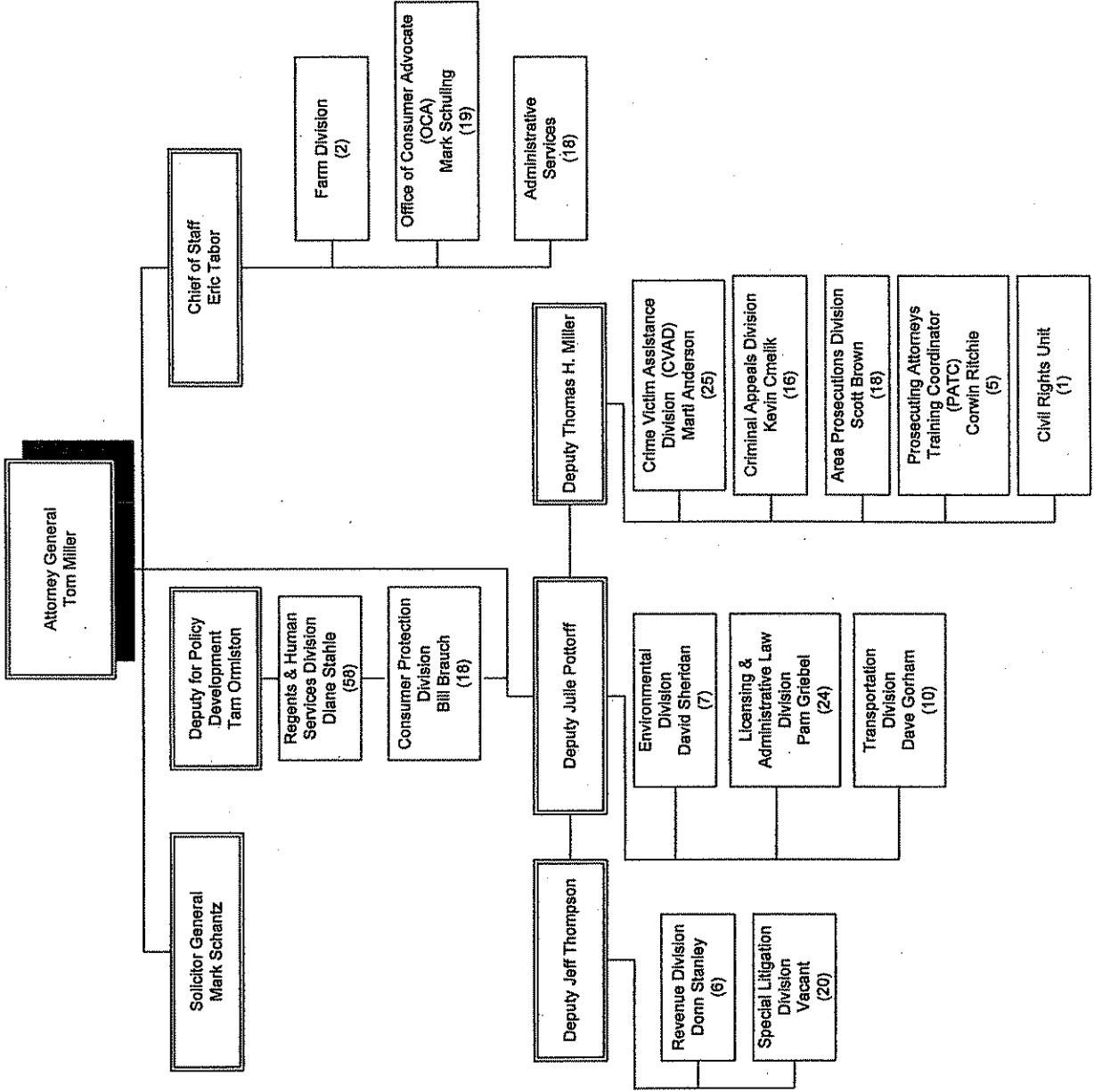
DEPARTMENT OF JUSTICE

PRESENTATION TO

**JUSTICE SYSTEMS
APPROPRIATIONS SUBCOMMITTEE**

February 10, 2011

Department of Justice
 Iowa Attorney General's Office
 February 2011



Attorney General's Office
Consumer Protection Division Activities
February 10, 2011

I. Noteworthy Cases and Enforcement Priorities

A. Mortgage Enforcement – Summary of Activities.

1. Leader of national mortgage investigation.
2. Leader of national investigation of robo-signing problem.
3. Partnership with US Attorney on criminal investigations.
4. Investigating various mortgage rescue firms (both IA-based and others).

B. Free-to-Pay Conversions (trial offers in buying or other “clubs” requiring ongoing periodic payments if not cancelled during the “free trial” period)

1. Vertrue - trial court finding of liability for Buyer's Club and Consumer Fraud Act violations, expect ruling soon on request for relief following late October evidentiary hearing.
2. Trilegiant - we filed lawsuit against this Vertrue competitor in November.
3. United Marketing Group - settlement resulted in over \$200,000 for consumers.

C. Fraud in Charitable Solicitations

1. Settled investigations of five different professional commercial fundraisers, all of which are now either barred from soliciting in Iowa or from engaging in misrepresentations such as the caller's identity or of the sum going to the charity.
2. Sued another professional commercial fundraiser for deceptive solicitations.
3. Obtained court judgment against a charity that went door to door soliciting contributions supposedly to further youth career programs, but which used none of the money for that purpose. It is now enjoined from further fundraising.

D. Satellite TV Services

1. DIRECTV - obtained a Consent Judgment including consumer restitution and injunction against misrepresenting prices or service.
2. Linx Satellite – settled with this door-to-door reseller of satellite TV services (it contracts with DIRECTV and Dish Network) requiring compliance with Door-to-Door Sales Act.

E. Protecting Youth

1. “Adult Services” Internet Ads – called on Craig's List and Backpage.com to remove adult services Internet ads and they responded by removing them.
2. Caffeinated-Alcoholic Beverages – Participated with FDA's October announcement of its finding that various products, some of which were under investigation by our office and others, were not generally recognized as safe for consumption and, therefore, could not be sold in the U.S. (FDA's action was in response to our request. Also, we are supporting state legislation barring the sale

or manufacture of caffeinated-high alcoholic content beverages.)

3. People to People - settlement bars company from misrepresenting that its travel invites to youth are based on merit or that it has any connection to Iowa Governor.

F. Ferrellgas – Reached settlement agreement with Iowa’s top propane provider requiring it to clearly disclose its pricing programs, including all surcharges and fees, before consumer orders. Will end the “bill shock” of higher-than-average prices.

G. Various automobile-related cases

1. Sued or settled with various used car dealers, an ad agency and its owner, and a major auto aftermarket warranty telemarketer and its owners.

H. Protecting Seniors

1. Obtained agreement barring an Iowa-based magazine telemarketer from soliciting to or from Iowa.

2. Obtained Consent Judgment against a payment processor.

II. Top 20 Written Complaints Received in 2010 by Category and Quantity

A. The Division opened over 4000 written complaint files during calendar year 2010. The following were the Top 20, by quantity and category:

1.	591	Home Mortgage Origination and Servicing
2.	403	Debt Collection
3.	288	Magazine Subscription Sales
4.	163	Satellite/TV Services
5.	148	Home Improvements
6.	142	Used Motor Vehicle Sales (including damage, salvage, odometer)
7.	121	Insurance
8.	111	Mortgage Foreclosure Rescue
9.	108	Health Fraud
10.	103	Cell Phones
11.	90	Auto Repairs
12.	68	Books, Records, and Tapes
13.	66	Motor Vehicle Credit Complaints
14.	62	Sales of Promotional Advertising
15.	56	Time Share Sales
16.	52	Buyer’s Clubs
17.	45	Gas Utilities (mostly propane)
18.	45	Work-at-Home
19.	43	Internet Service Providers
20.	38	Invoice & Billing Schemes



IOWA CRIME VICTIM ASSISTANCE DIVISION CRIME VICTIM COMPENSATION PROGRAM

THE CRIME VICTIM COMPENSATION PROGRAM

The Crime Victim Compensation Program (CVC) pays certain out-of-pocket expenses for victims physically or emotionally injured by crime. All funds for the program come from the Compensation Fund which consists of fines and penalties paid by convicted criminals. The program does not compensate for damaged or stolen property. Eligible crime victims can be reimbursed for expenses they pay and payments can be made directly to a service provider on behalf of the crime victim for crime related expenses.

Crime Victim Compensation Benefits are established in Iowa Code Chapter 915. Actual out-of-pocket expenses of the victim can be paid up to the following amounts.

- \$25,000 Medical expenses for the victim;
- \$5,000 Mental health care for a victim, by a qualified professional;
- \$6,000 Lost wages for work missed due to injury from crime;
- \$1,000 Lost wages for work missed due to criminal justice proceedings;
- \$1,000 Lost wages while taking a minor or dependent crime victim to receive medical or mental health care;
- \$4,000 Loss of support for the dependent of a deceased or disabled victim;
- \$1,000 Clean-up expenses of a residential crime scene;
- \$500 Security items replacement for victim residence or residential crime;
- \$200 Replacement of clothing or bedding held as evidence by law enforcement;
- \$1,000 Dependent care during court or medical and mental health appointments;
- \$2,000 Mental Health care for a victim's family member or household member;
- \$5,000 Mental Health care for survivors of a homicide victim;
- \$3,000 Medical expenses for certain survivors of a homicide victim;
- \$1,000 Dependent Care while a victim's parent or caretaker transports the victim to medical care, mental health care, and criminal proceedings.
- \$7,500 Funeral and Burial expenses for a homicide victim;
- \$1,000 Transportation to medical care, mental health care, and court proceedings, and to the funeral of a homicide victim.

Program information and applications are available in both English and Spanish from local victim service programs, county attorney offices, hospitals, and law enforcement.

- Mailed applications to:
Crime Victim Assistance Division
321 East 12th Street
Des Moines, Iowa 50319;
- FAX applications to CVAD at 515-281-8199; or
- Apply by telephone at 515-281-5044 from Des Moines or toll-free at 800-373-5044
- Apply on the Internet at http://www.iowa.gov/government/ag/helping_victims/services/

More information is available on the Internet at:
http://www.iowa.gov/government/ag/helping_victims/services/

**ATTORNEY GENERAL'S OFFICE
CRIME VICTIM ASSISTANCE DIVISION**

**CRIME VICTIM COMPENSATION PROGRAM (CVC)
SEXUAL ABUSE EXAMINATION PAYMENT PROGRAM (SAE)**

FY2010

July 1, 2009 through June 30, 2010

APPLICATIONS RECEIVED AND PROCESSED

Total CVC & SAE Cases	5,493
SAE Applications Received	2,645
CVC Applications Received	2,848
Applications Approved	2,464
Applications Denied	308
Supplemental Payments (FY10 and past year cases)	5,070
 Total Payments Made	 \$6,509,364
Crime Victim Compensation	\$5,259,379
Sexual Abuse Examinations	\$1,249,985

APPLICATIONS RECEIVED BY CRIME CATEGORY

Includes the primary victim, secondary victims from their family or household, and homicide victim survivors

Homicide

Murder	178
Child Abuse Murder	18
Domestic Abuse Murder	78
Vehicle Homicide	125

Sex Crimes

Sexual Assault	174
Juvenile Sexual Abuse – Intra-family	138
Juvenile Sexual Abuse – Non-family	205

Vehicle Crimes

Drunk Driving & Drunk Boating	73
Hit & Run Driving	42
Reckless Driving	3

Other Crimes Against Person

Assault & Attempted Murder	1,068
Kidnapping	10
Child Abuse	48
Domestic Abuse	456
Stalking & Harassment	29
Robbery, Theft, Burglary, Arson	125
Other and Unknown	154

VICTIM ADVOCATE SERVICE

New crime victims served	940
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RESTITUTION AND SUBROGATION

Offender Payments	\$816,092
Number of Payments	6,379

**IOWA ATTORNEY GENERAL'S OFFICE
CRIME VICTIM ASSISTANCE DIVISION
VICTIM SERVICES SUPPORT PROGRAM**

STATE FY2010
(July 1, 2009 through June 30, 2010)

VICTIMS SERVED

Domestic Abuse		24,067
• Women	19,213	
• Men	1,226	
• Children	3,628	
Sexual Abuse		4,653
• Adults	2,352	
• Incest Survivors	374	
• Teens	1,114	
• Children	813	
Child Physical Abuse		300
Elder Abuse		123
Homicide Victim Survivors		675
Drunk/Intoxicated Driving		243
Robbery		319
Stalking		620
Assault		2,141
TOTAL VICTIMS SERVED:		33,144

CRISIS CALLS AND SAFE SHELTER

Crisis Calls to All Victim Service Programs		72,033
Nights of Safe Shelter: *		99,585
Domestic Abuse Victims		4,939
• Women	2,690	
• Men	127	
• Children:	2,122	
<i>Children ages 0-12</i>	<i>1,723</i>	
<i>Children ages 13-17</i>	<i>399</i>	
Adult Sexual Abuse Victims		85
Other Adult Crime Victims		7
TOTAL PERSONS SHELTERED:		5,031

*Shelter night = one night of shelter for one adult and her or his children.

PROGRAMS PARTIALLY FUNDED *

Non-Profit Victim Services	
Sexual Abuse Victim Programs	29
Domestic Abuse Victim Programs	29
Homicide Victim Survivor Programs	4
Teen Crime Victim Programs	1
Statewide Hotlines for Domestic Abuse & Sexual Abuse	2
Government-Based Victim Justice	
Prosecution-based Victim Coordinators	17
State University based Sexual Abuse Response Teams	2
Violence Against Women (VAWA) State University Training	1
VAWA for Law Enforcement Agencies	33
VAWA for Special Prosecutors and Victim Coordinators	10
VAWA State Level Criminal Justice and Health Experts	6
TOTAL PROGRAMS FUNDED:	134

* An agency may operate multiple programs, each responding to victims of a different type of crime.

HUMAN RESOURCES *

Paid Staff	
Number of non-profit programs	65
Total paid staff for non-profit programs	396
Average paid staff per non-profit program	6.1
Volunteers	
Volunteers assisting programs	4,729
Average number of volunteers per program	91
Volunteer hours donated to programs	121,030
Average volunteer hours donated per program	2,328

* Paid Staff does not include Government-Based Programs. Volunteers include all programs.

PUBLIC AWARENESS AND PROFESSIONAL TRAINING

Media contacts	1,815
Public presentations	6,783
Audience at presentations	151,259
Professional training sessions	1,305
Individuals trained	21,557

