2022 Annual Report

NORTH CAROLINA DEPARTMENT OF JUSTICE





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Letter from Attorney General Stein

To the people of North Carolina,

I am grateful for so much this year — especially the opportunity to serve as your attorney general and work alongside the smart, dedicated public servants at the North Carolina Department of Justice. Our work to defend our state and its people is wide-ranging, and I'm pleased to be able to share our updates with you in this annual report. You'll read more about how we're working to represent the state, defend people's rights, protect people from scams and fraud, recruit and train law enforcement to be the best possible guardians of our communities, and support North Carolinians as challenges arise. This work continues, and each year we make more progress to help the people of North Carolina live happier, healthier lives.

Winning \$50 Billion to Confront the Opioid Epidemic

The opioid crisis is the deadliest drug epidemic in our nation's history – and it's getting worse. We've lost more than half a million Americans to this epidemic. This crisis was born of greed. The Sacklers, Purdue Pharma, and other companies in the pharmaceutical industry made billions while far too many people got hooked, sick, and died. I led a national, bipartisan effort of attorneys general to require them to clean up the mess they've made. And we're winning.

Overall, we've secured more than \$50 billion from the drug industry. That includes the \$26 billion we won from the nation's three largest drug distributors and Johnson & Johnson, approximately \$13 billion from Walmart, CVS, and Walgreens, and nearly \$7 billion from drugmakers Teva and Allergen. The majority of North Carolina's \$750 million share of the \$26 billion national deal is going directly to local governments so they can use this money to help make a difference, and they should receive more from the additional settlements in the coming years as well. Local governments received \$93 million in initial payments in 2022, and I've been traveling around the state to learn how they're using this money.

Local leaders are working together to get this money where it's needed most so they can save lives and help people live free of addiction, whether that's through recovery services, overdose response teams, or criminal justice diversion programs, to name just a few strategies. Because of their commitment, the many effective partnerships in operation and development, and the settlement funds we won, more people will be alive in the years to come than otherwise would have been.



Attorney General Stein meets with local leaders at an opioid roundtable in Jacksonville.

Taking Action Against Robocallers

Robocalls seem never-ending, but my team and I are working hard to cut down the number of scam calls that make it to your phones. In January, I filed a pathbreaking lawsuit against an American "gateway" phone company that allowed scam calls originally abroad onto the U.S. telephone network. I also helped lead the creation of a 51-attorney general task force to take legal action against the telecommunications companies that bring foreign robocalls into the United States. We're investigating additional phone providers and will take action if we determine that they have broken the law to profit at the expense of North Carolinians.

Delivering Justice for Victims and Survivors of Sexual Assault

Testing old sexual assault kits to give law enforcement new information so they can move cold cases forward continues to be a top priority for my office. This year, we reached a new record of hits in the CODIS DNA database – more than 1,200. Each of these hits gives law enforcement a new lead on a case and is crucial to our efforts to get a measure of justice for victims and survivors of sexual assault. We're continuing to test older sexual assault kits in local law enforcement custody. Our commitment to survivors of sexual assault is clear: we will never stop fighting for you. That is why we are getting these kits tested – to breathe new life into cold cases and provide law enforcement the assistance it needs to identify perpetrators.

Keeping People Safe Online

More and more, we are living our lives online, especially our kids. While that's often helpful, we have real concerns about the information companies have access to and the safety of our personal details. I'm communicating with the biggest tech companies and holding them accountable when they violate the law. This work helps make sure that users have control over what data they share and that the companies that have this data protect it appropriately. I also traveled around the state to talk to our young people about the importance of internet safety and to spark

conversations with their caregivers about making smart decisions online. Nothing is more important than keeping our children safe, offline and online.



Attorney General Stein speaks about internet safety to students at Cleveland Elementary School in Clayton.

Helping North Carolinians Get Student Loan Relief

When predatory schools put their profits above students, our students pay the price, often left holding burdensome debt, unable to achieve their career goals. I've been fighting on behalf of these student victims for years. This year, we won more than \$142 million in loan cancellations for more than 12,000 borrowers who attended schools run by Corinthian Colleges. I also secured more than \$93 million in student loan relief for nearly 5,300 North Carolinians who attended ITT Technical Institute and continued to advocate for students of the now-closed Charlotte School of Law. These schools harmed students who were trying to get their degrees and build their lives. I'm proud to have fought for these students, and if any other for-profit schools break the law, I will not hesitate to hold them accountable as well.

Protecting North Carolinians' Access to Reproductive Health Care

The U.S. Supreme Court overturned years of precedent and stripped women of their right to an abortion under the Constitution. In North Carolina, women still have a right to an abortion under state law, and North Carolina is one of the last states in the South where women can access a safe and lawful abortion – even in cases of rape and incest. I will do everything in my power to continue to safeguard that right. Women and their doctors, not politicians, should make decisions about medical care.

Ensuring Clean Air and Drinking Water

Protecting North Carolinians means protecting their right to clean air and clean drinking water. People have to be able to trust that the water they drink is safe. But North Carolina is home to far too much contamination from PFAS,

or forever chemicals that contaminate our natural resources and pose **serious health risks**. I'm **continuing my** investigation into PFAS contamination in North Carolina, and this year, I filed two additional lawsuits against companies that manufactured firefighting foam that contains these harmful chemicals and seeps into our soil and water.

I am so proud of the hard work my DOJ colleagues do every day to serve the people of our state. I am prouder still to be a North Carolinian and live among so many goodhearted people who look out for their neighbors. It is an honor to be your attorney general, and I look forward to continuing to serve you.

Sincerely,

Josh Stein

Attorney General

About DOJ

The dedicated public servants at the North Carolina Department of Justice (DOJ) work hard to protect the people of North Carolina. Whether protecting consumers from scams and fraud or supporting victims and survivors of crime, our office strives to serve the public under the guidance of the DOJ's organizational values of public service, integrity, excellence, teamwork, diversity, and innovation.



Mission Statement: The North Carolina Department of Justice protects the people of North Carolina through its work to prevent crime and support law enforcement, to safeguard consumers, and to defend the State, its people, and their constitutional rights.

Vision Statement: The North Carolina Department of Justice provides excellent legal representation and support to law enforcement, consumers, the State, and its people through teamwork, innovation, and a commitment to public service.



With more than 950 employees, DOJ staff members work in various divisions and organizations that focus on protecting North Carolinians in many ways.

Our Consumer Protection Division works to protect consumers and seniors from scams and fraud. Consumer specialists work to resolve consumer complaints, while attorneys investigate those complaints and take legal action to hold businesses and people accountable when they break the law.

The Public Protection Section works to prevent crime, improve public safety systems, and support victims and survivors of violent crime. It also works to promote public safety by educating North Carolinians about ways to protect themselves and their information from scams, fraud, and harm online.

DOJ's Civil Division helps state government departments, agencies, and commissions further their public missions and save taxpayer dollars through their legal advice and representation.

The Environmental Division represents the North Carolina Department of Environmental Quality (DEQ) and provides legal advice and representation to environmental boards and commissions with jurisdiction over our state's natural resources. The attorneys and staff of the Environmental Division work to protect the air we breathe and the water we drink by holding polluters accountable and forcing them to clean up the messes they create.

The Transportation Division represents the North Carolina Department of Transportation (DOT) and the Division of Motor Vehicles (DMV) to help keep North Carolina moving.

Our Criminal Division represents the state in all criminal appeals, prosecutes cases at the request of local district attorneys, represents the law enforcement Standards Commissions, provides legal guidance and technical assistance to state and local law enforcement, and represents the North Carolina Department of Public Safety (DPS) and the State Bureau of Investigation (SBI).

Our Medicaid Investigations Division (MID) investigates and prosecutes fraud and abuse by health care providers and companies. It also protects North Carolina Medicaid patients and patients in Medicaid-funded facilities against abuse and neglect.

The Litigation Division handles special litigation, tort and workers' compensation claims, and most challenges to the constitutionality or legality of legislative and executive branch actions.

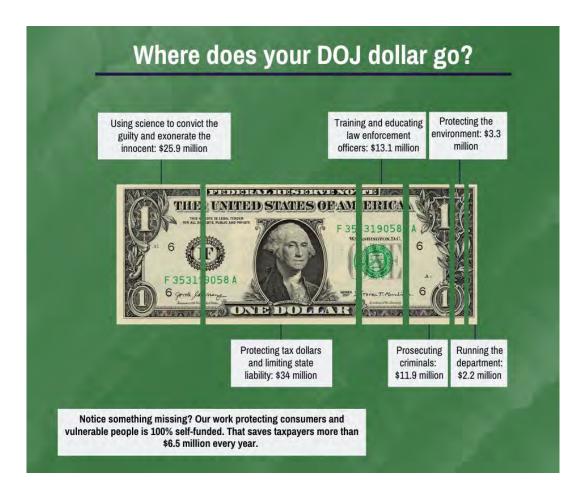
The Health and Human Services Division represents the North Carolina Department of Health and Human Services (DHHS) and its divisions.

The **Solicitor General's Office** oversees the state's civil appeals and manages select strategic litigation.

The **Sheriffs' Education and Training Standards Co**mmission and the Criminal Justice Education and Training Standards Commission work to ensure that vetted and ethical law enforcement officers enter the profession prepared to effectively keep North Carolinians safe. The Standards Commissions oversee training, standards, and certification of law enforcement and criminal justice officers across the state.

The North Carolina Justice Academy provides training on its two campuses to criminal justice personnel to help them better serve communities across North Carolina.

The State Crime Laboratory and its forensic scientists assist law enforcement and help solve crimes by testing and analyzing evidence. They use science to get to the truth.



Responding to Crime

Criminal Division

The Criminal Division handles special prosecutions, criminal appeals, state and federal post-conviction litigation, and litigation on behalf of the DPS and SBI. Attorneys in the division also represent the Criminal Justice Education and **Training Commission and the Sheriffs' Education** and **Training Standards** Commission.

Members of the Criminal Division provide training presentations to state and national criminal justice partners, including prosecutors and law enforcement. In 2022, division members gave presentations on extraditions, post-conviction review, criminal motions practice, challenges in jury selection, capital case updates, and the law related to guilty pleas.

Appellate and Post-Conviction Litigation

The Criminal Division's Appellate and Post-Conviction Section represents North Carolina in the most complex and serious criminal convictions on appeal before our state appellate courts. That includes the North Carolina Court of Appeals, the Supreme Court of North Carolina, the Fourth Circuit Court of Appeals, and U.S. Supreme Court. The section also represents the state in federal habeas cases before the U.S. District Court, the Fourth Circuit, and the U.S. Supreme Court.

Attorneys throughout DOJ represent the state in criminal appeals before North Carolina's appellate courts. In 2022, DOJ defended criminal convictions against 445 criminal appeals and represented the state in 48 oral arguments

before the North Carolina appellate courts. Additionally, the Appellate and Post-Conviction Section took on 40 new non-capital habeas cases before the federal courts and represented the state in two oral arguments before the Fourth Circuit Court of Appeals.

Special Prosecutions and Law Enforcement

In North Carolina, the authority to originally investigate or prosecute a crime rests with the district attorneys elected to represent their communities. If a local district attorney's office has a conflict of interest or needs support prosecuting a complex case, it may request assistance from DOJ's Special Prosecutions and Law Enforcement Section.

Many of the cases handled by these attorneys involve serious criminal issues and threats to public safety, including murder, rape, sexual abuse, drug trafficking, and public corruption. In June, our office secured the conviction of former New Hanover County school teacher Peter Michael Frank for sexual abuse. For 20 years, Frank used his profession as a schoolteacher to groom children as young as 12 years old and sexually prey on them. Law enforcement arrested Frank in 2020 for his crimes and this year, following a multiweek trial, a Bladen County judge sentenced him to 50-62 years imprisonment for 17 felony counts relating to sexual abuse.

In addition to violent crimes, Special Prosecutions works on financial cases involving tax fraud and embezzlement. In 2022, the Special Prosecutions team resolved cases leading to more than \$400,000 in judgments in tax revenue cases. The section also works with law enforcement partners on wiretaps and extraditions, facilitating more than 100 wiretap cases and more than 500 extraditions in 2022.

Attorneys in this section of the Criminal Division also represent the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission. In addition, they provide legal counsel to the SBI's Division of Criminal Information, the Alcohol Beverage Control Commission, and the North Carolina Company Police Program. In 2022, attorneys in this section represented the state in more than 40 contested cases before the state and administrative courts. They work closely with law enforcement partners across the state and the North Carolina Justice Academy to provide law enforcement trainings.

Public Safety

Attorneys in the Public Safety Section represent DPS and the SBI in civil and administrative litigation in both state and federal courts. These cases related to the operations of DPS adult and juvenile facilities, Community Corrections, Corrections Enterprises, N.C. National Guard, N.C. Emergency Management (including the North Carolina Office of Recovery and Resiliency), State Highway Patrol, State Capital Police, Alcohol Law Enforcement, and Crime Victims Compensation Commission, as well as actions brought by DPS and SBI employees.

In 2022, the section represented the state in more than 500 DPS and SBI cases. Among these were several complex litigation cases, including 12 federal jury trials, 9 hearings in the Office of Administrative Hearings, and 2 oral arguments before the Fourth Circuit Court of Appeals.

Medicaid Investigations Division

The MID is North Carolina's Medicaid Fraud Control Unit. The division investigates and prosecutes health care provider fraud and abuse of Medicaid patients and patients in Medicaid-funded facilities. In 2022, MID surpassed \$1 billion dollars in criminal restitution and civil recoveries since the division was first created in 1979.

MID works closely with the North Carolina Medicaid Program, **U.S. Attorney's Offices**, U.S. Department of Health and Human Services Office of Inspector General, Federal Bureau of Investigation, Internal Revenue Service, local police departments, and other agencies. Where the evidence supports criminal prosecution, MID works with state and federal partners to prosecute the case. MID also pursues civil remedies under the False Claims Act, which provides for treble damages and per-claim penalties.

DOJ receives 75 percent of MID's funding from the U.S. Department of Health and Human Services under a grant award totaling \$6,106,236 for Federal fiscal year (FY) 2022. The remaining 25 percent, totaling \$2,035,412 for FY 2022, is funded by the state of North Carolina.

In 2022 MID closed 100 cases, of which 48 were criminal cases and 52 were civil cases. Through civil settlements, restitution, and criminal recoveries, the division recovered \$40,264,673.66.

MID Criminal Case Highlight

In eastern North Carolina, Margaret Gibson and Shelley Bandy were prosecuted for cheating the Medicaid system. As owner of the durable medical equipment company, "A Perfect Fit For You," Margaret Gibson submitted claims to the Medicaid program for equipment that was not medically necessary. The company's biller, Shelley Bandy, billed the Medicaid program for medical supplies that were never provided and had no supporting documentation. In 2021, the company and Gibson agreed to pay the U.S. and the state of North Carolina \$20,138,722.70 under the False Claims Act. In 2022, Shelley Bandy was also prosecuted for her role in the scheme in the U.S. District Court for the Eastern District of N.C. Bandy pleaded guilty to making false statements related to health care matters and was sentenced to 30 months imprisonment and ordered to pay \$374,809.92 in Medicaid restitution.

State Crime Lab

The North Carolina State Crime Lab helps fight crime by collecting and analyzing evidence, providing expert testimony in court proceedings, and consulting on evidence-related matters. In FY 2021-2022, for example, laboratory scientists spent 571 hours in the courtroom to provide testimonies and assist criminal justice officials in their cases. The State Crime Lab has three locations in North Carolina – the main campus in Raleigh, the Western Regional Crime Lab in Edneyville, and the Triad Regional Crime Lab in Greensboro.



During FY 2021-2022, the Crime Lab's criminal justice DNA database, CODIS, achieved a record 1,211 hits. Because of the work on the DNA Database and Forensic Biology sections of the Crime Lab, CODIS now contains more than 400,000 DNA profiles. Of the 1,211 hits achieved by the Crime Lab, 58 percent of them were from sexual offenses. Each hit can give law enforcement powerful new evidence to help move cases forward and assist in solving crimes.

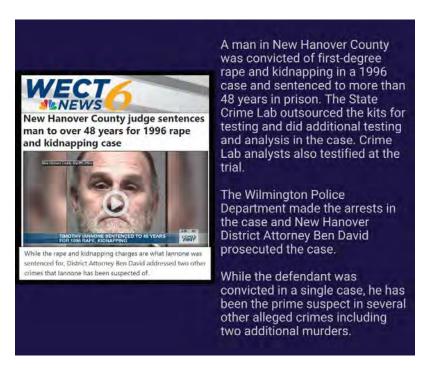
Sexual Assault Kit Backlog Update

Scientists at the State Crime Lab work to test evidence and assist in bringing justice to victims of crime and their families. Each sexual assault kit tested brings law enforcement closer to solving crimes and holding perpetrators accountable.

DOJ determined that there were 16,221 previously untested older kits in local law enforcement custody. Of those kits, local law enforcement determined 11,504 can be tested based on the requirements of the Survivor Act. Of these testable kits, as of FY 2021-2022, 8,450 kits have been tested while another 2,418 are in the process of being tested. These completed tests have led to 2,714 profiles being uploaded into the CODIS DNA database. An overview of testing progress made by local law enforcement jurisdiction and country is available at www.ncdoj.gov/testthekits. Approximately 40 percent of those tested kits with an eligible CODIS profile have a CODIS hit to a known offender or another case, allowing law enforcement to move forward, including from 2022:

- A Wilson man was <u>charged</u> with two counts of first degree rape and one count each of first-degree kidnapping, assault with a deadly weapon inflicting serious injury, and first-degree burglary resulting from two cold cases occurring in 1997 and 2002.
- A North Carolina man was <u>charged</u> with first degree rape for <u>two victims</u> that were sexually assaulted in Silver Spring, Maryland in 1981. He was released in 2020 from a North Carolina prison after serving 22 years for a series of first-degree rapes.
- Wilmington Police Department <u>charged</u> a suspect with first degree kidnapping, first degree rape, first degree sexual offense, and common law robbery for a 1995 assault.
- A suspect was <u>charged</u> with first degree rape, burglary, and kidnapping for a 2005 assault in Durham.
- A former Hendersonville man who was in custody in South Carolina was <u>charged</u> based on active warrants in North Carolina stemming from a 2005 sexual assault case.
- The Fayetteville Police Department <u>arrested</u> a suspect in connection for a series of rape and kidnapping cases in 2007. The State Crime Lab compared DNA for the cases to the suspect to help law enforcement make an arrest.
- The Durham Police Department's Cold Case Unit <u>arrested</u> a suspect in two sexual assaults that occurred in 1993. The kits were outsourced for testing by the State Crime Lab using funding from the Sexual Assault Kit Initiative grant and the North Carolina General Assembly. The State Crime Lab matched DNA from the older sexual assault kits to the suspect.
- A man in New Hanover County was <u>convicted</u> of first-degree rape and kidnapping in a 1996 case and sentenced to more than 48 years in prison. The State Crime Lab outsourced the kits for testing and did additional testing and analysis in the case. Crime Lab analysts also testified at the trial. The Wilmington Police Department made the arrests in the case and New Hanover District Attorney Ben David prosecuted the case.





Justice Academy

The North Carolina Justice Academy offers training and support to criminal justice personnel. They also provide technical assistance to criminal justice agencies and develop educational and training materials for law enforcement officials. The Justice Academy ensures that our law enforcement officials are well-trained and have the support they need to keep North Carolinians safe.

In 2022, the Justice Academy successfully completed 218,417 online trainings – the most in the Academy's history. At the Justice Academy's two campuses, 556 in-person courses were offered to 12,020 in-person students. The Justice Academy has also made significant progress in revising its Basic Law Enforcement Training (BLET) and Detention Officer Certification Course. Both are set to pilot in the summer of 2023. The Telecommunicator Certification Course was also completely revised in 2022 and is now in the pilot delivery phase. The Justice Academy also reopened a renovated residence hall on the Salemburg campus and underwent an agency reorganization to streamline work and improve service to stakeholders.

Criminal Justice and Sheriffs' Education and Training Standards

Commissions

DOJ staffs both the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission. The commissions develop, implement, and enforce the standards and topics required to certify all sworn law enforcement officers in the state. They also review individual violations of the rules by law enforcement and can audit law enforcement agencies and training schools.

Criminal Justice (CJ) Standards

CJ Standards grew substantially over the last year to meet the demands of law enforcement. This section received a state grant for two staff members to work on law enforcement agency accreditation and received funding for four new staff members in the last legislative session. CJ Standards hired 15 new employees in 15 months and are now staffed with 30 employees—more than ever in its history.

With these staffing increases, CJ Standards restructured responsibilities in ways that increase effectiveness, create redundancies that ensure the timely completion of work, and help the division be more efficient. The division increased the frequency of communications and improved deliverable work product to stakeholders, resulting in more effective outcomes.

CJ Standards revamped the North Carolina Law Enforcement Accreditation program this year and has completed a pilot for six law enforcement agencies, four of which are ready to be accredited in the spring. Additionally, CJ Standards received a grant from U.S. DOJ Community Oriented Policing Services Office of \$300,000 to supply training assistance to 40 small and rural police agencies as they seek accreditation. This program is jointly administered by CJ Standards and Sheriffs' Standards.

CJ Standards staff assisted the Justice Academy in creating a new curriculum for the BLET and ensuring testing protocols are secure and robust. **The section's** 68 accredited BLET delivery sites will qualify nearly 2,200 students this year, preparing officers to enter the law enforcement profession and better protect communities in North Carolina.

During the last year, CJ Standards modified rules to ensure compliance with Senate Bill 300 – important legislation designed to increase accountability and fairness in law enforcement. The division also implemented new tracking for critical incidents, mandatory reporting for officers prohibited from testifying in court, and new fingerprinting programs for police across the state. In response to the need for recruitment and retention of law enforcement across the state, CJ Standards has also sought to streamline the certification process and open doors to new candidates.

Sheriffs' Standards

In 2022, the Sheriffs' Standards Division experienced a number of personnel changes. The division has a staff of 18 and saw seven new hires.

New Director of Sheriffs' Standards



Richard Squires

Attorney General Stein selected Richard Squires to serve as the Director of the Sheriffs' Standards Division on June 1, 2022. Richard started his career with DOJ in June 2001 as an investigator with the Criminal Justice Standards Division. In June 2014, he became the Deputy Director of the Certifications and Field Services section of the Criminal Justice Standards Division. Richard served as the Interim Director of the Criminal Justice Commission from January 2021 to August 2021. Prior to coming to DOJ, Richard served 20 years with the U.S. Army, serving as a military policeman with assignments in a variety of areas, including patrol operations, security, recruiting, and investigations.

Richard holds a Master of Human Relations degree from the University of Oklahoma and a Bachelor of Science degree from the University of Maryland University College in the field of Business Management with a minor in Criminal Justice.

This year, the Division has:

- Evaluated and awarded more than 2,900 certifications for deputies, detention officers, and telecommunicators,
- Evaluated and awarded more than 440 school resource officer certifications,
- Evaluated and awarded 430 instructor certifications, and
- Processed more than 2,800 separations.

Projects:

- The Sheriffs' Standards Commission continues to work with the Criminal Justice Standards Commission to develop a statewide accreditation program for law enforcement agencies.
- The Sheriffs' Commission also continues to work on finalizing the job task analysis for their Detention Officer Training Programs and their Telecommunicator Officer Training Program.

CJ Fellows

The Criminal Justice and Sheriffs' Education and Training Standards Commission oversees DOJ's CJ Fellows program. The CJ Fellows is a scholarship program that pays for the two-year education of young North Carolinians seeking a law enforcement career. North Carolina currently faces a widespread shortage of law enforcement officers, making this program even more important. The CJ Fellows program is crucial in recruiting new and talented law enforcement officers.

Protecting Consumers

DOJ's Consumer Protection Division investigates and prosecutes scams and frauds. Attorneys in this division take legal action against companies that use unfair or deceptive trade practices to take advantage of the people of our state. When businesses or people violate state laws and harm consumers, our office fights to protect North Carolinians. If possible, DOJ works to win back refunds or other relief and hold the bad actors accountable. In 2022, the Consumer Protection Division received 24,981 consumer complaints and recovered more than \$600,000 for North Carolina consumers.

The Consumer Protection Division also won more than \$300 million in court judgements and settlements, including money from settlements with drug companies that contributed to the opioid epidemic. Since 2017, the division has won more than \$2.5 billion for consumers in North Carolina.

Robocalls

Illegal robocalls exist to **steal people's money** or personal information. As annoying as these calls are, they also represent a real danger to millions of Americans, especially older people who are **more susceptible to scams**. **That's why DOJ is working hard to** shut these illegal and fraudulent calls down. 2022 represented a landmark year in the fight against illegal robocalls, and our office continues to work with federal partners to sew up the loopholes that allow illegal robocalls a path to our phones.

This year, Attorney General Stein launched a pathbreaking lawsuit against service provider Articul8, a gateway provider that allowed international scam calls onto the U.S. telephone network and routed millions of illegal calls to phone numbers in North Carolina. This lawsuit, and others like it, seek to hold accountable the companies that turn a blind eye to illegal calls on their network and cut down on the number of robocalls that reach people in North Carolina.

Attorney General Stein and the attorneys general of Indiana and Ohio formed a nationwide Anti-Robocall Litigation Task Force to investigate and take legal action against telecommunications companies responsible for bringing illegal and fraudulent robocalls into the U.S. and for routing those calls across the country. The coalition of 51 attorneys general launched investigations into more than 20 voice service providers that carry the majority of the illegal robocall traffic coming into and routed across the U.S.

Attorney General Stein and the Consumer Protection Division worked with federal partners to expand the tools available for attorneys general to crack down on robocalls. Attorney General



TOP SCAMS OF 2022

Stein called on the FTC to increase recordkeeping obligations on telemarketers, supported the passage of the DO NOT Call Act, pushed the FCC to pass a proposal to help cut down on robotexts, and commended the FCC on adopting new rules designed to prevent illegal foreign robocalls from entering the U.S. phone network.

Data Breaches

Under North Carolina law, companies must notify our office if their data has been subject to a security breach. Our Consumer Protection Division works with companies and affected customers to protect their data after a breach. This year, our office offered security tips to more than 1 million North Carolinians affected by a 2021 T-Mobile data breach. If necessary, DOJ enforces the law against businesses that **illegally put their customer's data at risk**. This year, DOJ received 1,899 notices of data breaches, affecting more than 3 million people in North Carolina.

In June, DOJ reached a \$1.25 million settlement with Carnival Cruise Line stemming from a 2019 data breach. The breach put at risk the personal information of more than 3,000 North Carolinians. The settlement also required Carnival to make changes to better safeguard consumer data.

Price Gouging

When the Governor declares **a state of emergency, DOJ's Consumer Protection Division enforces North Carolina's** price gouging law. This law protects consumers from bad actors who illegally raise prices and take advantage of **people's desperation**. In January, Attorney General Stein announced that DOJ won three price gouging settlements totaling more than \$80,000 in restitution for North Carolinians forced to pay egregious prices during a natural disaster. This year, DOJ received 447 price gouging complaints related to COVID-19, 47 related to Hurricane Ian, 53 from the winter storms of 2022, and 7 from the Moore County substation vandalism. Since 2017, DOJ has won more than \$1 million in price gouging judgments and settlements.

Student Loans

When students take out loans to pay for their education, they are investing in their future. **DOJ's Consumer**Protection Division works to keep predatory lenders and for-profit schools from taking advantage of students. In
January, DOJ held national student loan servicer Navient accountable for its illegal lending and servicing practices,
securing \$37 million in student loan relief for more than 13,000 borrowers in North Carolina. Our office also helped
cancel loans for thousands of former students at the for-profit colleges Corinthian and ITT and continued to fight for
students of the now-closed Charlotte School of Law.

The Consumer Protection Division urged the U.S. Department of Education to fix the Public Service Loan Forgiveness program (PSLF), which had failed to provide promised student loan relief to public servants. These efforts resulted in a revamping of the program, and public servants in North Carolina received a new opportunity in 2022 to access the relief they were promised thanks to the changes to the PSLF program. Our office continues to fight for people who are investing in their education and their futures.

Protecting Kids

E-cigarettes

To protect kids from the harmful impacts of e-cigarette manufacturers, our office led the fight to hold these companies accountable for addicting another generation of young people to nicotine. North Carolina became the first state in the nation to hold Juul accountable for its role in the youth vaping epidemic. **Our office's work to hold Juul accountable** helped to keep dangerous e-cigarettes out of the hands of kids.

However, the work to protect our youth from nicotine addiction is not done. Attorney General Stein and our Consumer Protection Division called on the FDA to regulate all e-cigarettes and other non-tobacco nicotine products that put our kids' health at risk.

Internet Safety

This year, DOJ launched a new initiative to help keep kids safe online through the Attorney General's Family Tech Agreement. This agreement was created as a resource for parents and caregivers to spark a conversation on how to keep kids safe online, be on the alert for warning signs of scams and predatory behavior, and to make good decisions. On average, 8- to 12-year-olds use screens for more than five and a half hours a day, and 13- to 18-year-olds use screens for more than eight and a half hours a day. This tech agreement empowers parents and caregivers to help young people better understand who they should and shouldn't talk to online, the information and content that isn't appropriate to share, when to share concerns about their health and safety with adults, and the importance of balancing screen time with offline activities.

Attorney General Stein has traveled across the state to share this tech agreement with elementary school-aged kids and educate them on the ways to protect themselves from harm online. This useful tool will help many families across the state have important conversations about responsible screen time and online safety.



Attorney General Stein speaks about internet safety to students at Ira B. Jones Elementary School in Asheville.

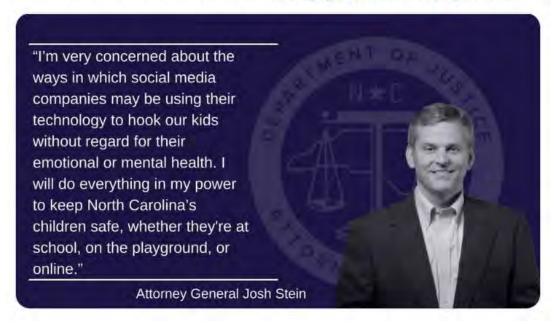
Big Tech Actions

While technology makes our lives easier and faster, it also comes with risks, especially when it comes to our kids.

In March, Attorney General Stein and our Consumer Protection Division launched an investigation into TikTok. The investigation is examining the potentially harmful techniques TikTok uses to boost young user engagement, including the amount of time and frequency spent on the platform. Attorney General Stein continued to lead a nationwide investigation into Instagram's effects on kid's physical and mental health.



BREAKING: Attorney General @JoshStein_ is investigating TikTok for providing and promoting its social media platform to children and young adults. The use of TikTok has been associated with physical and mental health harms. ncdoj.gov/attorney-gener...



Also in March, Attorney General Stein led, along with Mississippi Attorney General Lynn Fitch, a group of 44 attorneys general calling on social media companies TikTok and Snapchat to give parents more ability to protect their children online by allowing third-party apps that let parents monitor content. Many other platforms already allow these parental control apps. Parental control apps empower parents by alerting them to potential content related to bullying, self-harm, and suicide so that parents can intervene when children might be in danger online.

Our office reached a \$391.5 million multistate settlement in November with Google over its location tracking practices, the largest data breach settlement in national attorney general history. Google allegedly violated state laws and unlawfully gained access to people's personal data and location information. The settlement also requires Google to be more transparent with its users about its data practices without adequate consent, helping protect critical data online.

Protecting People's Health

Opioids

Our office has led the fight against the opioid epidemic by holding drug companies accountable for their part in fueling the crisis. In February, Attorney General Stein finalized the \$26 billion opioid agreement with the nation's three major pharmaceutical distributors- Cardinal, McKesson, and AmerisourceBergen- and manufacturer Johnson &

Johnson. Through this settlement, North Carolina will receive \$750 million that will go to fighting the opioid crisis. All 100 counties and 47 municipalities have formally joined the settlements and North Carolina's share of settlement funds started being distributed among state and local municipalities in April 2022. Attorney General Stein held more than two dozen opioid roundtables with local government, law enforcement, and public health leaders across the state to discuss the best ways to spend the opioid settlement money and fight addiction.



Attorney General Stein meets with local leaders at an opioid roundtable in Greensboro.

Opioid addiction has left a trail of death and destruction in its wake all across our state. While nothing can be done to bring back the lives lost, we can fight to help the thousands of North Carolinians suffering from the disease of addiction and in need of treatment and recovery resources.

DOJ reached an agreement with opioid maker Endo International that would provide up to \$450 million nationally. In November, Attorney General Stein and our office announced two more settlements with drugmakers and a chain pharmacy. DOJ reached a settlement with Walmart that will provide more than \$3 billion nationally and will require significant improvements in how Walmart's pharmacies handle opioids. Our office also reached a \$6.6 billion settlement with drug manufacturers Teva and Allergan for their part in the crisis. Finally, in December, Attorney General Stein announced settlements with chain pharmacies CVS and Walgreens totaling nearly \$11 billion.

In total, Attorney General Stein and DOJ have helped secure more than \$50 billion nationally with drugmakers and pharmacies. We must do all we can to address the impact of the opioid epidemic in our communities across the state.

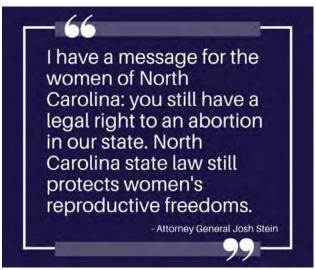
Health Care

DOJ is committed to protecting North Carolinians' access to affordable health care. Our office has continued to defend affordable access to medications and health care, working with the legislators to improve our ability to fight for patient's care when hospital systems consolidate.

North Carolina has experienced a high number of hospital consolidations in recent years. Currently, state law does not grant our office full and adequate authority to conduct reviews of these transactions. This year, Attorney General Stein traveled around the state to host health care consolidation roundtables to better understand the health care challenges in different parts of the state and discuss possible solutions. Our office is working with the legislature to broaden the Attorney General's authority to protect competition, keep health care prices affordable, and ensure that North Carolinians can access the quality care they need.

This year, the Supreme Court of the United States released a decision in *Dobbs v. Jackson Women's Health Organization* that overturned *Roe v. Wade.*While the nation's highest court stripped away women's reproductive freedoms and their right to an abortion under the federal constitution, Attorney General Stein and our office have continued to defend these rights for North Carolinians under state law.

Protecting health care freedoms and access is more important than ever and our office will continue to stand up for accessible and affordable health care for all in our state.



Protecting the State

DOJ represents state government entities in court to protect the interests of the people of North Carolina.



Environmental Division

DOJ's Environmental Division protects the air we breathe, the water we drink, and our coastal resources. The division provides legal advice and counsel to the Department of Environmental Quality (DEQ) and the state's various environmental boards and commissions. It also represents those state agencies in court.

PFAS

The Environmental Division continued its efforts to protect North Carolinians from the harmful effects of PFAS, forever chemicals that seep into groundwater and are linked to dangerous health outcomes like cancer. The division continued its legal battle against DuPont and Chemours for their role in polluting the Cape Fear River and contaminating the drinking water of people in southeastern North Carolina with PFAS, including securing an important win in the North Carolina Supreme Court this year.

In October, Attorney General Stein filed two new lawsuits against manufacturers of Aqueous Film Forming Foam (AFFF), a fire suppressant used by firefighters that contains PFAS, for contamination at the Piedmont-Triad International Airport, Marine Corps Base Camp Lejeune, and Marine Corps Air Station New River. These lawsuits followed four similar lawsuits from 2021 and are part of Attorney General Stein's ongoing investigations into PFAS contamination in North Carolina. The lawsuit alleges that AFFF contaminated drinking water and put first responders' health at risk. Our office's actions seek to make sure the manufacturers pay to clean up the mess that they helped create and for the damage to the state's natural resources they've caused.

Attorney General Stein and the Environmental Division worked with federal partners to increase environmental legal protections for North Carolinians. In November, Attorney General Stein called on the U.S. Senate to pass public health protections against PFAS. Our office commended the EPA for designating certain types of PFAS as hazardous chemicals in August. The designation gives people more information about PFAS contamination in their communities and provides attorneys general greater tools to enforce the law against companies that illegally emit the chemical.

Clean Water

In July, the Environmental Division helped hold accountable the Colonial Pipeline company for a 2-million-gallon spill of gasoline near Huntersville. The spill was one of the largest on land in U.S. history and posed a threat to surrounding soil and water. On behalf of DEQ, the division obtained a consent order requiring Colonial Pipeline to remediate the spill and pay \$4.5 million in penalties. This effort helped protect our state's water resources.

Environmental Enhancement Grants (EEG)

Each year, DOJ awards EEGs to projects in North Carolina that protect and enhance our environment. In 2022, the EEG program awarded nearly \$2.5 million to 23 new grantees selected in a competitive process from more than 100 applicants. The grant projects span the state and include land acquisitions, citizen science programs, research into water quality, streambank stabilization, and environmental justice. Some examples of projects funded this year include land acquisition in Edgecombe, Stokes, and Cabarrus counties, a partnership with the Eastern Band of Cherokee on river clean up and environmental education, collaborations with farmers of color to implement water conservation practices, and the installation of green infrastructure.



Attorney General Josh Stein attends the ribbon cutting of a nature preserve and hiking trail funded by the EEG program in Creedmoor.

Health and Human Services Division

DOJ's Health and Human Services Division advises the Department of Health and Human Services (DHHS) and represents them in court. Division attorneys work to prevent fraud and abuse of health care programs and to protect services for vulnerable people, including children, older adults, and people in need of mental health care.

In 2022, the HHS Division:

- Closed 1,020 Medicaid cases.
- Closed 430 childcare/welfare cases.
- Closed 61 health care personnel registry cases to stop unlicensed health care workers with histories of abuse, neglect, misappropriation, or fraud from caring for vulnerable North Carolinians.
- Resolved 207 adult care licensure and mental health licensure and certification cases to protect some of North Carolina's most vulnerable residents.
- Fought for and successfully certified more than \$1.3 million for collection in delinquent child support for children who are entitled to child support payments.

The Health Service Section advises the Division of Health Service Regulation on mental health and adult care facilities to protect people in their facilities and ensure they receive appropriate care. A psychiatric hospital in Wake County had its license revoked for care violations and the Health Service attorneys worked with DHHS staff to ensure all the patients were safely transferred to other care facilities. Attorneys in the division helped transfer the facility to a new operator to protect the community's access to psychiatric services.

The Health Service Section attorneys worked with DHHS to transition out of the COVID-19 state of emergency. The section worked to draft and implement state law to give DHHS the ability to regulate consistent with federal waivers based on the national COVID-19 public health emergency. This work helped to ensure that health care providers in

North Carolina continue to receive federal resources and support after the state of emergency concluded in North Carolina.

The Public Health and Child Welfare Section helped ensure the continued and safe supply of infant formula through the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). Attorneys in this section worked with DHHS and DOJ to communicate a recall of harmful formula to the residents of North Carolina. The attorneys also worked with DHHS to ensure WIC participants in North Carolina received the products needed to feed their children during a formula supply shortage.

Attorneys in the Public Health Section worked with DHHS to implement a policy to give transgender people born in North Carolina the ability to change their North Carolina birth certificates to reflect their sex, consistent with their gender identity.

The Child Welfare and Public Assistance attorneys provided training to social workers throughout North Carolina on legal tools available to protect disabled and vulnerable adults from abuse, neglect, and financial exploitation and to protect children from abuse, neglect, and dependency. DOJ attorneys created a webinar for social workers titled, "Drafting Abuse, Neglect, or Dependency Petitions with or without Requests for Nonsecure Custody."

The Public Assistance Section completed a settlement to help give Department of Social Services offices the resources necessary to timely conduct annual recertification of Medicaid beneficiaries. This process helps ensure that recipients continue to receive appropriate Medicaid benefits.

The Human Services/Medical Facilities Section worked with the Division of Mental Health on post COVID-19 state of emergency regulatory requirements in line with the Substance Abuse Mental Health Service Administration. These regulations extended authorization for take-home medication for opioid treatment programs. The Human Services attorneys also reached an agreement to safely implement employment services for individuals with developmental disabilities in North Carolina.

The Human Services/Medical Facilities Section assisted the Division of Child Development and Early Education in cases that safeguard high-quality early education and learning networks to help families raise healthy children and build a stronger North Carolina.

Transportation Division

The Transportation Division helps build North Carolina's infrastructure by supporting the Department of Transportation (DOT) and its projects. It also represents DOT in court. The division works with the Division of Motor Vehicles (DMV) to promote highway safety.

The Transportation Division represented DOT in 2,232 cases in 2022, including:

- 1,930 property acquisition cases to move forward projects to build new highways, bridges, and turnpikes.
- A case resolving a multimillion-dollar construction claim against DOT, saving the state millions.
- A case defending the DMV's decision to cease issuing license plates for the Sons of Confederate Veterans.

Civil Division

The Civil Division works to protect North Carolinians by representing various state agencies in legal matters. The **division's six sections** – Services to State Agencies, Education, Labor, Property Control, Revenue, and Insurance – assisted state agencies throughout 2022, including on issues related to worker safety, state finances, and teacher licenses. The division closed 127 civil cases, manages more than 200 cases at the North Carolina Occupational Safety and Health Administration Review Board, and managed more than 200 cases before judicial forums in 2022.

The Services to State Agencies Section represents various agencies in protecting state funds, farmland, our judicial system, and North Carolina **residents**' health and welfare. Attorneys in the section successfully defended state laws in court, defended court system actors against lawsuits, and helped pass new protections for people in North Carolina, including when someone is being fitted for hearing aids. The section ensures that state agencies can carry out their work to protect the people of North Carolina.

The Labor Section protects workers in North Carolina and represents the North Carolina Department of Labor (DOL) in court. The section successfully defended the **DOL's** action to penalize a homebuilder for failing to provide proper protection for workers at a home construction site, defended DOL's ability to enforce safety and health violations in court, and enforced the **North Carolina's** wage and hour laws. During 2022, attorneys in this section helped DOL hold employers accountable to maintain a safe workplace by assessing and collecting \$967,445 in penalties. The penalties went to the North Carolina Civil Penalty and Forfeiture Fund and then were in part appropriated to the State **Public School Fund to help support North Carolina's schools**.

The Insurance Section ensures that insurance companies offer fair policies to consumers and represents the Department of Insurance in court. In 2022, attorneys in the section fought to protect the rights of policyholders of long-term care insurance, some of the state's most vulnerable insureds.

The Property Control Section advises and represents state agencies on construction projects, the purchase of goods and services, and the acquisition and use of state land. The section won a case that awarded the state full ownership of a portion of Hanging Rock State Park, preserving the park for the use and enjoyment of visitors.

The Education Section protects students and schools by enforcing state and federal law and represents the North Carolina Department of Public Instruction in court. The section helped ensure charter schools in North Carolina comply with state standards and properly serve their students and helped safeguard state universities' ability to enforce its academic standards.

The Revenue Section ensures proper taxation for the benefit of the state and its residents, including enforcing the state's tobacco export credit statute.

Litigation Division

The Litigation Division, made up of the Special Litigation, Tort Claims, and Workers' Compensation sections, defends state agencies in court.

The Tort Claims Section handles legal issues under the North Carolina Tort Claims Act, including property damage claims. The section closed 1,293 cases in 2022.

The Workers' Compensation Section handles legal issues facing state agencies under the Workers' Compensation Act. The section closed 704 cases in 2022.

Office of Solicitor General

DOJ's Office of Solicitor General oversees our office's most complex and significant cases, including cases at the U.S. Supreme Court. It provides advice to the attorney general on legal policy issues.

In 2022, DOJ attorneys in the Office of Solicitor General:

- Represented the University of North Carolina at Chapel Hill in the U.S. Supreme Court in a case seeking to affirm **universities**' right to pursue the educational benefits of a diverse student body.
- Represented the State and the State Board of Elections in the U.S. Supreme Court in a case seeking to affirm the right of state courts to review claims of partisan gerrymandering under their state constitutions.
- Prevailed in significant cases in the Fourth Circuit and the North Carolina Supreme Court, including:

- A case affirming that North Carolina courts have jurisdiction to review claims against corporate affiliates of DuPont for the company's environmental contamination of our state, including by dumping PFAS chemicals into the Cape Fear River.
- o A case affirming the lawfulness of a longstanding environmental grant program that funds projects that safeguard our state's environment, like conserving wildlife habitats and restoring shorelines.
- A case affirming the constitutionality of North Carolina's laws that limit the shipping of unregulated out-of-state alcohol into our state.
- o A case defeating a gambling operation's attempt to evade the state's ban on video sweepstakes.
- o A case affirming the State's ability to protect consumers from some property finders' unscrupulous business practices.
- o A case affirming homeowners' rights to install solar-power systems on their own homes.
- o A case challenging DOT's decision to discontinue issuing specialty license plates bearing the Confederate battle flag.
- Continued to defend the constitutionality of the Safe Child Act, which allows survivors of sexual abuse to seek relief against their abusers.
- Continued to help successfully lead DOJ's defense against numerous lawsuits challenging government restrictions designed to slow the spread of COVID-19 and save lives.

Engaging North Carolinians

Public Protection Section

DOJ's Public Protection Section supports victims and survivors navigating the criminal justice system and advocates for policies that keep people in North Carolina safe. Staff in this section protect people from scams and fraud by traveling the state to give presentations and provide educational materials to community members. In 2022, the Public Protection Section gave 58 presentations to more than 1,800 people.

The Public Protection Section administers the Address Confidentiality Program, which provides a confidential address to victims and survivors of crime. As a part of a comprehensive safety plan, this service helps protect victims and survivors from their abusers. **Public Protection staff also serve on the Crime Victims' Compensation Fund, the**Domestic Violence Commission, the Human Trafficking Commission, the North Carolina Senior Consumer Fraud Task Force, the Financial Literacy Council, and the State Reentry Council Collaborative.

Task Force for Racial Equity in Criminal Justice

The Task Force for Racial Equity in Criminal Justice (TREC) was established in June 2020 by Gov. Roy Cooper to develop solutions for racially disparate outcomes in the criminal justice system. Attorney General Stein co-chaired TREC in 2022, and DOJ staff provide policy and administrative support to the task force. In 2022, TREC worked to implement 125 recommended solutions from its original report published in 2020. TREC's work focused on collaboration and partnerships with state government stakeholders, local governments, court officials, law enforcement leaders, and statewide organizations.

TREC supported local governments efforts to turn many of its recommendations into reality. For example, in New Hanover County, officials created Port City United to put violence interruption programs in place to reduce crime. TREC published sample policies and informational guides to local government leaders, law enforcement, and prosecutors to advance TREC recommendations and implement major legislative changes from 2021. Continued education was also a priority of TREC's work, and the task force held learning sessions to dig deeper into complex issues facing the criminal justice system. TREC will continue its work in 2023 to create a safer, fairer criminal justice system in North Carolina. To learn more about TREC's work, visit ncdoi.gov/trec.



TREC co-chairs Attorney General Stein and Associate Supreme Court Justice Anita Earls attend a reception announcing the extension of TREC at the Governor's Mansion.

Sexual Assault Investigations Trainings

In 2022, DOJ sponsored a comprehensive program to train more Sexual Assault Nurse Examiners (SANEs). SANE nurses help survivors of assault in the immediate aftermath by offering care in a manner sensitive to the victims' traumatic experience and by expertly collecting evidence as part of a sexual assault evidence collection kit. That evidence is crucial to law enforcement's investigation of the assault. But North Carolina is facing a large shortage of SANEs, meaning that victims often must travel long distances and wait for long periods of time to get the quality care they need.

The Public Protection Section partnered with Southern Regional Area Health Education Center to train 38 new SANEs from 24 hospitals from Cherokee to the Outer Banks. These nurses will provide trauma-informed care to victims of some of the most heinous crimes and collect critical evidence for the criminal justice system. With the help of these new SANEs, our state is better equipped to provide compassionate care and facilitate healing for traumatized survivors and deliver justice to victims by holding dangerous criminals accountable.



Attorney General Stein awarded three SANE nurses, Lauren Schwartz, Katherine Ariano, and Jenny Anand with the **Attorney General's Dogwo**od Award.

Using a portion of a \$2 million grant from the Bureau of Justice Assistance Sexual Assault Kit Initiative, the Public Protection Section trained law enforcement investigators on supporting victims and survivors of sexual assault. This victim-centered, trauma-informed approach helps better serve victims and survivors while keeping our communities safe. In 2022, DOJ provided 19 trainings to 707 law enforcement officers and advocates on topics like "Using Genealogy to Solve Crimes" and "Understanding CODIS Hits in Cold Case Investigations." Learn more about this work here.

Constituent Mail

Each year, DOJ responds to thousands of calls, emails, and letters from constituents. These letters include opinions about policy issues facing the state, questions about government services, and reports of scams. Our constituent mail team works to respond to these letters and provide information or referrals to the proper government agency. In 2022, our office responded to 11,285 messages from constituents on issues including the opioid epidemic, criminal justice policy, and consumer protection complaints.

Dogwood Awards

In November, Attorney General Josh Stein awarded 38 recipients with the Attorney General's Dogwood Award. The Dogwood Award is presented annually to North Carolinians who help make their communities safer, stronger, and healthier. Recipients of the award were recognized for their efforts to test sexual assault kits, combat the opioid epidemic, improve health care, protect military service members, workers, and students, defend women's reproductive freedoms, improve the criminal justice system, and create a stronger state.



Attorney General Stein honors Dogwood Award recipients in Raleigh.

The 2022 Dogwood Award recipients are:

- 1. Lt. Stephen Vaughan, Durham Police Department
- 2. Karen Parker, Safe Alliance
- 3. Lauren Schwartz, InterAct
- 4. Katherine Ariano, Duke Health
- 5. Jenny Anand, UNC Health
- 6. Sheriff Paula Dance, Pitt County
- 7. Sqt. Candace Burlingame, Boone Police Department
- 8. Rep. Wayne Sasser
- 9. Michelle Mathis, Olive Branch Ministry
- 10. Commissioner Johnnie Carswell, Burke County
- 11. Sarah Gayton, Buncombe County Sheriff's Office
- 12. Maia Hughes, Buncombe County MAT Program
- 13. Sen. Julie Mayfield
- 14. Lavita Hill, Eastern Band of Cherokee
- 15. Mary Crowe, Eastern Band of Cherokee
- 16. Raleigh Police Department
- 17. Tameka O'Neal, Novant Health
- 18. District Attorney Billy West
- 19. District Attorney Locke Bell
- 20. District Attorney Robert Evans
- 21. District Attorney Jim Woodall
- 22. Sen. Brent Jackson
- 23. Sheriff Bobby Kimbrough, Forsyth County

- 24. Sheriff James Clemmons
- 25. Sheriff Landric Reid
- 26. Sheriff Hubert Peterkin
- 27. Sheriff Danny Heath
- 28. J. Steve Mason, Fire Chief, City of Wilmington
- 29. Rep. Grier Martin
- 30. Vernon Gammon, Teamsters
- 31. Mike McGaha, Teamsters
- 32. Dr. Virginia Newell, Winston-Salem State University
- 33. Dr. Erica Pettigrew
- 34. Brian Clark, NC Ports
- 35. Janice Cole
- 36. Stephen DeMay, Duke Energy
- 37. James Ferguson
- 38. Michella Huff, Surry County