

2005 Press Releases

April

- 28 Bruning Announces Win in Excessively Lenient Drunk Driving Sentence Appeal
- 28 Attorney General Bruning Announces Sentence in Child Sexual Assault Case
- 19 Bruning Announces Life Sentence in Seward County Murder Case
- 14 Bruning: 4,892 Nebraskans Affected by LexisNexis Security Breach
- 12 Attorney General Bruning Announces Life Sentence for Meth Ringleader, Convicted Murderer
- 12 Attorney General Bruning Signs Letter Urging Congress to Protect Funding for Crime Victim Services
- 5 Media Advisory: Attorney General Bruning to Hold News Conference at 9:00 a.m. CT Tomorrow
- 5 Revised Advisory: Attorney General Bruning to Hold News Conference at 9:30 a.m. CT Tomorrow

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

April 2005

1 2

3	4	5	6	7	8	9
		Rev. Advisory: AG to Hold News Conference at 9:30 am tomorrow.			Column: April is Internet Safety Month	

10	11	12	13	14	15	16
		AG- Announces Life Sentence 4 Meth Ringleader & He Signs Letter Urging Congress to Protect Funding for Crime Victim Services.		AG- announces 4,892 Nebraskans Affected by LexisNexis Security Breach.		

17	18	19	20	21	22	23
		AG- Announces Life Sentence in Seward County Murder.				

24	25	26	27	28	29	30
				Column- Congrats, Won the Lottery!		
				AG- announces win in Excessively lenient Drunk Driving Case & Child Abuse Case		



STATE OF NEBRASKA
Office of the Attorney General

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JON BRUNING
ATTORNEY GENERAL

Attorney General Jon Bruning
Guest Column: April 28, 2005
Contact: Regan Anson (402) 471-2067

Congratulations, You Just Won the Lottery!

Every day Nebraskans are bombarded with junk mail and unsolicited phone calls from a variety of sources indicating that they have just hit the jackpot. Promises of riches beyond your wildest dreams are yours for the taking. Millions will be deposited into your bank account for doing no more than paying a small fee and supplying your account numbers. It sounds too good to be true. It is.

The latest spin on the old lottery winning scam is using foreign lotteries in Canada, Spain and, most recently, the United Kingdom. The criminals orchestrating this scam have also employed a new method of notifying their "winners" - your computer.

To protect yourself from these predators, be suspicious of any and all unsolicited e-mails. Here are some tips on how to spot this scam:

- You're notified that you have won of a lottery's second or third level drawing category. If you had won in their main drawing, you might be suspicious of a lottery you never entered.
- Another clue is that these notifications are typically addressed to Dear Sir/Madam. If these foreign lotteries know your e-mail address and you had actually applied and won, shouldn't they know your name too?
- You are given reference numbers to prove your "winnings" and official contact information to claim your prize.
- A sense of urgency is created by telling you to contact the lottery within a short period of time or risk losing your "winnings."
- You are asked to keep your good fortune a secret until you have received the money.
- If you call the numbers given or use the e-mail contact, you will be asked for personal information or to send money to pay import fees, customs fees or taxes.

To ensure that you don't become a victim of this type of scam delete the e-mail without responding. Remember, if it sounds too good to be true, it probably is.

For more information, contact our Consumer Protection Division at (402) 471-2682 or toll-free at (800) 727-6432. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555. You can also visit us online at www.ago.state.ne.us.



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JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
April 28, 2005, 11:45 a.m. CT

CONTACT:
Regan Anson, 402-471-2067

Bruning Announces Win in Excessively Lenient Drunk Driving Sentence Appeal

(Lincoln, Neb.) Attorney General Jon Bruning today announced that the Nebraska Supreme Court vacated the excessively lenient drunk driving sentence of Melvin Rice of Sioux City, Iowa, and remanded the case back to Dakota County District Court for resentencing.

Rice, 67, was sentenced to three years probation by former Dakota County District Court Judge Maurice Redmond last year after his 12th drunk driving arrest. The Nebraska Court of Appeals upheld the sentence in a December 2004 ruling.

Attorney General Bruning said, "Our primary concern in this case was protecting the public. Mr. Rice is a menace who has run out of chances to be a free man. We are extremely fortunate that no one has been killed with him behind the wheel."

Rice has 11 previous convictions for drunk driving on his record. He was sentenced to probation on the most recent charge after agreeing to a plea bargain that reduced the drunk driving charge to driving while his license was revoked.

Dakota County Attorney Ed Matney said, "This is a great result for public safety not only in Dakota County, but the entire tri-state area. We are all safer with Mr. Rice behind bars. I appreciate the assistance I've received from the Attorney General's Office in petitioning for further review of this case."

A copy of the Court's decision is available online at
<http://court.nol.org/opinions/2005/april/apr28/s04-547.htm>.

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An audio clip featuring comments from the Attorney General is now available at
www.ago.state.ne.us.



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JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
April 28, 2005, 11:50 a.m. CT

CONTACT:
Regan Anson, 402-471-2067

Attorney General Bruning Announces Sentence in Child Sexual Assault Case

(Lincoln, Neb.) Attorney General Jon Bruning today announced that his office, working in conjunction with the Chase County Attorney's Office, obtained a prison sentence of 30-40 years and 20-30 years, to be served consecutively, against a child sexual predator.

Roy Rouse, 47, was convicted of sexual assault of a child and first degree sexual assault in Chase County District Court on March 31, 2005. Rouse had previously been convicted of child sexual assault in Hamilton County in 1992 and Hall County in 2003. Because he is a habitual child sexual abuser with a prior conviction, the child sexual assault charge against him was enhanced to Class IC felony. The first degree sexual assault charge is a Class II felony.

Attorney General Bruning said, "My number one priority as Attorney General is protecting our kids, and putting child sexual predators behind bars where they belong is critical to that effort. The Nebraska Department of Justice will continue to do everything in our power to ensure that these criminals are off our streets."

Assistant Attorneys General Herb Spears and Steve Gabriel, along with Chase County Attorney Arlan Wine, handled the case.

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An audio clip featuring comments from the Attorney General is now available at www.ago.state.ne.us.



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JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
April 19, 2005, 4:20 p.m. CT

CONTACT:
Regan Anson, 402-471-2067

Bruning Announces Life Sentence in Seward County Murder Case

(Lincoln, Neb.) Attorney General Jon Bruning today announced that a Lora L. McKinney, 32, has been sentenced to life in prison for the shooting death of a Seward County man.

McKinney was found guilty of the first-degree murder of 56-year-old Harold Kuenning by a Seward County jury on March 30. McKinney's life sentence will be served consecutively to the 10-15 year sentence she is currently serving in Lancaster County for delivery of a controlled substance.

Attorney General Bruning said, "The success of this case is due to the dedication and collaboration of the Nebraska State Patrol and many other law enforcement agencies. I hope that Harold Kuenning's family can begin the process of rebuilding their lives with this ugly chapter now behind them."

Kuenning was found shot to death at his rural Milford cabin on Jan. 6, 1998. Prosecutors believe McKinney killed Kuenning because he refused to give her money to buy crack cocaine and challenged McKinney's ability to parent.

Assistant Attorneys General Marie Clarke and Corey O'Brien, together with former Seward County Attorney James Ruby, prosecuted the case.

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JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
April 14, 2005, 2:30 p.m. CT

CONTACT:
Regan Anson, 402-471-2067

Bruning: 4,892 Nebraskans Affected by LexisNexis Security Breach

(Lincoln, Neb.) Attorney General Jon Bruning today announced that the personal information of 4,892 Nebraskans may have been compromised following a security breach involving LexisNexis, a provider of legal, news and business information. The company had originally notified the Attorney General's Office in March that 55 Nebraskans (32,000 people nationwide) may have been affected by the breach.

Attorney General Bruning said, "It's devastating to know that thousands of Nebraskans, through no fault of their own, may become victims of one of the fastest growing crimes in the country. The Department of Justice will do all it can to help these and all Nebraskans guard against identity theft."

London-based Reed Elsevier, which owns LexisNexis, estimates that criminals may have breached computer files containing the personal information of 310,000 people since January 2003 by using the stolen identification and passwords of legitimate customers. Documents containing information ranging from social security numbers to driver's license numbers may have been obtained.

LexisNexis is in the process of sending notification letters the Nebraskans affected and has agreed to provide the list of potential victims to the Nebraska Department of Justice, which will also contact those individuals. Additionally, LexisNexis has offered free support services to those individuals to monitor possible identity theft related fraud, including credit bureau reports, credit monitoring for one year and fraud insurance. The company will also provide fraud counseling services or specialized assistance to individuals who have their identity stolen due to the security breach.

For more information on identity theft, contact the Attorney General's Consumer Protection Division at 800-727-6432, 402-471-2682 or visit www.ago.state.ne.us. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.

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JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
April 12, 2005, 1:35 p.m. CDT

CONTACT:
Regan Anson, 402-471-2067

Attorney General Bruning Announces Life Sentence for Meth Ringleader, Convicted Murderer

(Lincoln, Neb.) Attorney General Jon Bruning today announced that convicted murderer and meth dealer Samson Aldaco of Garden City, Kan., has been sentenced to life without parole in Douglas County District Court for the first-degree murder of Stace Straw.

Attorney General Bruning said, "This is a case in which a meth dealer recruited and armed a gang of thugs to come to Nebraska and kill a man for drug debts. His conviction and sentence should send a clear message to would-be traffickers that Nebraska will tirelessly pursue those who bring this scourge to our communities."

Aldaco, 31, had been transporting meth concealed in car batteries from Kansas to Nebraska. Straw was shot and killed when Aldaco sent his henchmen to collect money for drug debts from his (Straw's) friend.

Aldaco was also sentenced today to 10 years in prison, to be served consecutively, for the use of a firearm to commit a felony, five years for felon in possession of a firearm and one year for possession of a controlled substance, both to be served concurrently. He was convicted of the charges in January 2004.

The Attorney General's Criminal Bureau Chief Don Kleine and Assistant Attorney General Corey O'Brien handled the case.

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Executive Director

April 12, 2005

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Washington, D.C. 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
H-204, The Capitol
Washington, D.C. 20515

The Honorable Bill Frist
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Harry Reid
Minority Leader
United States Senate
Washington, D.C. 20510

Dear Congressional Leaders:

We, the undersigned Attorneys General, write to express our concern about the drastic cuts to the Crime Victims Fund proposed by the Administration in its budget for FY 2006.

The Crime Victims Fund was created as part of the Victims of Crime Act of 1984 (VOCA) and is funded entirely through collections from federal criminal fines, forfeitures and special assessments. These funds, with no additional amounts provided by taxpayer revenues, support the many VOCA programs that offer financial compensation and direct assistance services to victims of all types of crimes. Presently, some 4,400 local programs depend on VOCA assistance grants to provide necessary services to nearly 4 million victims of domestic violence, sexual assault, child abuse, drunk driving, elder abuse and robberies, as well as families of homicide victims and other victims of crime.

The Administration's proposal for the FY 2006 budget to remove \$1.267 billion from the Crime Victims Fund would have a devastating impact on our ability to support victims of crime. VOCA is the only federal grant program that supports direct assistance services to victims of every description. VOCA also funds victim services for those involved in the federal criminal justice system and supplements state funds that provide financial compensation to victims of crime. While the Administration's proposal includes VOCA funding of \$650 million for FY 2006, it seeks to remove all other amounts remaining in the fund, as well as any amounts deposited during FY 2006. The Fund would thus begin FY 2007 with a zero balance. Beginning FY 2007 with nothing in the Fund means that there will be no money readily

available for state victim assistance and crime victim compensation grants or to pay federal personnel providing victim services.

This approach is wholly inconsistent with the precise language of the statute which states that "... all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation." 42 U.S.C. §10601(c). It also undermines the commitment, made in recent years when a cap was introduced on annual grants, "to ensure that a stable level of funding will remain available for these programs in future years." (Public Law 106-113, Conf. Report 106-479, Title VI, General Provisions, Sec. 620). Victims are challenged enough by their experiences. It would be an injustice to make the future of VOCA funding uncertain.

The proposed cut could not come at a worse time for states and territories. Significant budget problems still face state and territorial legislatures. VOCA funds enable states and community-based organizations to pay victim compensation and to offer free counseling, advocacy and a range of other specialized services for crime victims at a time when victims should not be further burdened by having to pay for such services themselves, or worse, forced to go without them. In many cases, the VOCA-funded services are lifesaving measures. Limiting the ability to offer these services will have devastating consequences.

We ask that you vote to restore the funds and assure the future availability of these monies to the Crime Victims Fund.

Thank you.

Sincerely,



Bill Lockyer
Attorney General of California



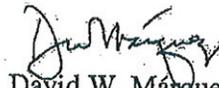
M. Jane Brady
Attorney General of Delaware



Tom Reilly
Attorney General of
Massachusetts



Troy King
Attorney General of Alabama



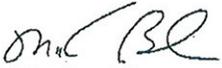
David W. Marquez
Attorney General of Alaska

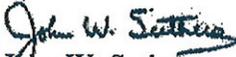


Malaetasi M. Togafu
Attorney General of American Samoa

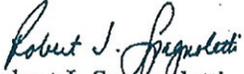


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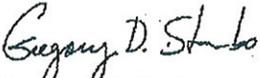

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Attorney General of Idaho

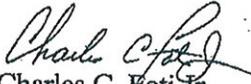

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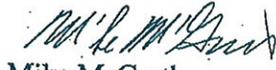

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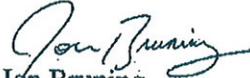
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Attorney General of Oklahoma



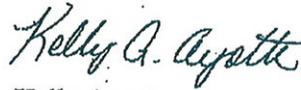
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Attorney General of Pennsylvania



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Attorney General of Missouri



Jon Bruning
Attorney General of Nebraska



Kelly Ayotte
Attorney General of New Hampshire



Patricia A. Madrid
Attorney General of New Mexico



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Attorney General of Ohio



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Attorney General of Oregon



Roberto J. Sanchez-Ramos
Attorney General of Puerto Rico



Patrick C. Lynch
Attorney General of Rhode Island



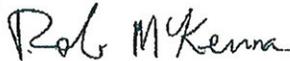
Lawrence Long
Attorney General of South Dakota



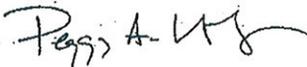
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Attorney General of Texas



William H. Sorrell
Attorney General of Vermont



Rob McKenna
Attorney General of Washington



Peggy A. Lautenschlager
Attorney General of Wisconsin



Pamela Brown
Attorney General of Northern
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Henry McMaster
Attorney General of South Carolina



Paul G. Summers
Attorney General of Tennessee



Mark Shurtleff
Attorney General of Utah



Judith Williams Jagdmann
Attorney General of Virginia



Darrell V. McGraw Jr.
Attorney General of West Virginia



Patrick Crank
Attorney General of Wyoming

cc: All Members of Congress



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JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
April 12, 2005, 10:20 CDT

CONTACT:
Regan Anson, 402-471-2067

**Attorney General Bruning Signs Letter Urging
Congress to Protect Funding For Crime Victim Services**
Fund Assists Nearly 4 Million Crime Victims Nationwide

(Lincoln, Neb.) Attorney General Jon Bruning joined Attorneys General from all 50 states and four U.S. territories in submitting a joint letter to Congress today to express "concern about drastic cuts" of more than \$1.2 billion from the Federal Crime Victims Fund. The appeal coincides with National Crime Victims' Rights Week, April 10-16.

Attorney General Bruning said, "Without these funds crime victim services in Nebraska and across the country would take an enormous hit, especially considering the states' budget problems. We have an obligation to provide crime victims the services they need to begin to rebuild their lives, particularly since these funds come from the proceeds of criminal activity."

The Federal Crime Victims Fund was created by the Victims of Crime Act of 1984 (VOCA). VOCA funds come entirely from collections from federal criminal fines, forfeitures and special assessments – not from taxpayers. Through grants to state victim compensation programs, victims of violent crimes throughout the country have been able to get help for medical care, mental health counseling, funeral and burial expenses, and other vital services.

In their letter, the Attorneys General said, "Some 4,400 local programs depend on VOCA assistance grants to provide necessary services to nearly 4 million victims of domestic violence, sexual assault, child abuse, drunk driving, elder abuse and robberies, as well as families of homicide victims and other victims of crime. VOCA is the only federal grant program that supports direct assistance services to victims of every description."

The VOCA Crime Victims Fund is administered by the Office for Victims of Crime in the U.S. Justice Department's Office of Justice Programs. Although the Administration's proposed federal budget includes VOCA funding of \$650 million for fiscal year 2006, all other monies remaining in the fund and any new monies collected in fiscal year 2006 would be eliminated. As a result, starting in 2007, there would be no money readily available for state victim assistance programs, crime victim compensation grants or for federal personnel who provide victim services.

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Editor's Note: A copy of the letter to Congress is attached.

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JON BRUNING
ATTORNEY GENERAL

Attorney General Jon Bruning
Guest Column: April 8, 2005
Contact: Regan Anson, 402-471-2067

April is Internet Safety Month

While the Internet can be a safe, fun learning tool for kids, it can also pose serious risks. There are a lot of dangerous criminals who use the Internet as a tool to find their next victim. The bottom line is that we need to do more to ensure that our kids are safe by giving Nebraska's children and their parents the means to protect themselves.

The statistics compiled in a report from the National Center for Missing and Exploited Children are frightening:

- 1 in 5 children who regularly use the Internet are sexually solicited;
- 1 in 17 are harassed or threatened;
- 1 in 33 receive an aggressive sexual solicitation or are asked to meet;
- 70 percent of aggressive on-line solicitations occur in the child's home;
- and less than 10 percent of those children who are sexually solicited report it to authorities.

Last year, my office, with the help of Nebraska's Educational Service Units, contacted schools across the state alerting them to the need for Internet safety education. We were overwhelmed by their response. From South Sioux City to Scottsbluff, Nebraska's teachers have been incredibly supportive of the effort and have played an active role in the campaign.

And while education is key to protecting our children it can't stop there. Parents must also take an active role and communicate with their kids about online activity. Internet safety needs to be reinforced in the classroom, at home and in our communities.

The Attorney General's Office remains committed to this cause. Not only have we traveled the state educating children about the dangers that lurk online, our experienced prosecutors are working hard every day to lock up Internet predators. We're also working with the Legislature to address the problem.

In 2004, we successfully passed LB 943, the centerpiece of my 2004 legislative package. The law, sponsored by State Sen. Nancy Thompson of Papillion, eliminated legal loopholes related to the entrapment defense. It also made on-line enticement of a child under 17 a Class IIIA felony for a first offense and a Class III felony if a perpetrator was previously convicted of assault, child enticement, kidnapping or false imprisonment.

Keeping Nebraska's children cyber-safe will continue to be a priority for my office throughout 2005 and long into the future. For more information on how to keep your children safe online, visit our Web site at www.ago.state.ne.us.



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JON BRUNING
ATTORNEY GENERAL

MEDIA ADVISORY
April 5, 2005, 11:25 a.m. CT

CONTACT:
Regan Anson, 402-471-2067

*****REVISED MEDIA ADVISORY*****
**Attorney General Bruning to Hold News
Conference at 9:30 a.m. CT TOMORROW**

Attorney General Jon Bruning will hold a news conference at **9:30 a.m. CT tomorrow, Wednesday, April 6, at Culler Middle School, 5201 Vine St., in Lincoln.**

The Attorney General will be joined by representatives from the Nebraska State Patrol, Nebraska's Educational Service Units and the Nebraska Department of Education in kicking-off Internet Safety Month, which runs April 1-30.

Following the news conference, Attorney General Bruning will make an Internet Safety presentation to students.

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JON BRUNING
ATTORNEY GENERAL

MEDIA ADVISORY
April 5, 2005, 9:40 a.m. CT

CONTACT:
Regan Anson, 402-471-2067

*****MEDIA ADVISORY*****

**Attorney General Bruning to Hold News
Conference at 9:00 a.m. CT TOMORROW**

Attorney General Jon Bruning will hold a news conference at **9:00 a.m. CT tomorrow, Wednesday, April 6, at Culler Middle School, 5201 Vine St., in Lincoln.**

The Attorney General will be joined by representatives from the Nebraska State Patrol, Nebraska's Educational Service Units and the Nebraska Department of Education in kicking-off Internet Safety Month, which runs April 1-30.

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