

## *2004 Press Releases*

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STATE OF NEBRASKA  
**Office of the Attorney General**

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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 29, 2004, 2:40 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Announces Appeals Court Ruling in Death Penalty Case**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that the 8<sup>th</sup> U.S. Circuit Court of Appeals rejected the appeal of death-row inmate and former Rulo cult leader Michael Ryan.

Ryan was sentenced to death for the 1985 torture and murder of James Thimm. He was also sentenced to life in prison for the beating death of 5-year-old Luke Stice. Ryan's death sentence was affirmed by the Nebraska Supreme Court in 1989.

Today's 8<sup>th</sup> U.S. Circuit Court of Appeals ruling upheld Ryan's death sentence by denying him federal habeas corpus relief. The court affirmed the Nebraska Supreme Court's earlier ruling that Ryan was competent to stand trial and that the conduct of the judge at his trial, while improper, did not deny him due process.

Attorney General Bruning said, "The families of James Thimm and Luke Stice have suffered incredibly because of the horrific crimes of Michael Ryan. They have waited more than 20 years for justice. Today's ruling puts them one step closer to the closure they deserve."

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*Editor's Note: To view a copy of the 8<sup>th</sup> Circuit's opinion go to [www.ca8.uscourts.gov/index.html](http://www.ca8.uscourts.gov/index.html). An audio clip featuring comments from the Attorney General is now available at [www.ago.state.ne.us](http://www.ago.state.ne.us).*



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 29, 2004, 4:15 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**Attorney General Bruning to Argue Delgado Case  
Before the Nebraska Supreme Court Tuesday, Nov. 2**

*Editor's Note: Attorney General Bruning will be available to the media immediately following his argument before the Supreme Court at approximately 10:00 a.m. CT in Room 2115 at the State Capitol in Lincoln. For a live, interactive audio feed dial 866-247-0709 and code 402-471-2682 at the prompt.*

(Lincoln, Neb.) Attorney General Jon Bruning today announced that he will argue the state's case against Henry "Rick" Delgado before the Nebraska Supreme Court at 9:00 a.m. CT Tuesday, Nov. 2.

Delgado is appealing his sentence of life in prison for the kidnapping and sexual assault of an 8-year-old Scottsbluff girl on April 18, 2004. Delgado is appealing on the grounds that the trial judge should not have allowed him to represent himself at trial.

Attorney General Bruning said, "This is a case that I feel compelled to argue personally before the Nebraska Supreme Court. As the father of two small children, I want to ensure that this individual never again has the opportunity to commit these horrific acts. My thoughts and prayers are with the little girl and her family."

###



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 28, 2004, 1:40 p.m. CT

CONTACT:  
Regan Anson, AGO, 402-471-2067  
Jim McGee, DOR, 402-479-3878

## **Attorney General Bruning Announces AMBER Alert Communications Upgrades for Rest Areas**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that Nebraska has received a \$368,000 U.S. Department of Justice Protect Act Grant that will be used to make communication upgrades in rest areas along Nebraska's 459-mile Interstate 80 corridor for the AMBER Alert program.

The upgrades will allow distribution of real-time information on child abductions or other alerts (such as Homeland Security alerts) to more than 20 Nebraska rest area travel information center kiosks.

Attorney General Bruning said, "We've seen the AMBER Alert program work miracles throughout the country and right here in Nebraska. As our program develops, it's important that we find new and innovative ways to disseminate information about abducted children. Streaming real-time video to rest areas along I-80 is an excellent way to reach travelers who may encounter an abductor's vehicle."

The project will utilize the broadcast capacity of the Nebraska Educational Telecommunications Commission and the Nebraska Department of Roads' Advance Traveler Information System. Limited installation will be required at each candidate site, such as a satellite dish and other needed upgrades. The cost per site is less than \$10,000.

A portion of the funds, \$250,000, will also be used to procure one additional interstate highway overhead electronic message board for Omaha metro area. Remaining funds will come from the Nebraska Department of Roads.

Nebraska currently distributes child abduction alerts via several media sources, including 18 overhead electronic message boards along I-80, the 511 advance traveler information phone system and the NETV Emergency Broadcast System. Currently, more than 150 radio and television stations and more than 175 local law enforcement agencies participate in the Nebraska AMBER Plan.

*(more)*

*Communications Upgrade for AMBER Alert, Page 2*  
*October 28, 2004*

Nebraska's AMBER Alert program is a cooperative effort of the Attorney General's Office, Nebraska AMBER Plan Committee, Department of Roads, Nebraska Educational Telecommunications Commission, State Patrol, Department of Economic Development's Division of Tourism and the Nebraska Lottery.

For additional information on Nebraska's AMBER Alert program, visit the Attorney General's Web site at [www.ago.state.ne.us](http://www.ago.state.ne.us).

###

*Editor's Note: An audio clip featuring comments from the Attorney General is now available on-line at [www.ago.state.ne.us](http://www.ago.state.ne.us). The clip's length is :28.*



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**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: October 22, 2004  
Contact: Regan Anson 402-471-2067

**Remembering Nebraska's Troops Through Music**

Nebraskans recognize that we would not have the freedoms and quality of life we enjoy today without the dedication and sacrifice of our soldiers and their families. It's the courage and valor of all our soldiers and veterans that have made the United States the world's beacon of freedom and hope.

As the global war on terror continues, it's important that we remember the men and women fighting for the American way of life, for freedom. More than 500 Nebraska National Guard soldiers and airmen are currently deployed overseas putting their lives on the line every day so that we can rest easy at night. Words cannot adequately express our gratitude for their service.

Earlier this week, I was honored to present Major General Roger Lempke, adjutant general of the Nebraska National Guard, with a small token of our appreciation - 5,000 rock, country and blues compact discs that will be sent overseas to soldiers and airmen serving in Iraq, Kuwait and Qatar. I cannot think of anyone more deserving.

The CDs presented were part of a \$143 million national antitrust settlement reached between 56 states and U.S. territories and several major U.S. record distributors accused of price gouging. Nebraska was awarded at total of 33,500 CDs valued at \$453,000 in the settlement.

The remaining 28,500 CDs from the settlement are being shipped to Nebraska's 520 public school districts and 291 public libraries. Distribution to the schools is population-based with a minimum of 25 CDs going to each school district. Each library will receive around 40 CDs. They include a wide variety of artists and genres, including rock, blues, jazz, country, classical, holiday, Latin, children's, soundtrack and roots.

I hope the CDs bring some measure of comfort to our troops while they're so far from home and enjoyment to children and adults across Nebraska.



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 22, 2004, 1:45 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Files Charges in Franklin County for Recall Petition Fraud**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that the state has filed misdemeanor charges against four individuals accused of recall petition fraud in Franklin County.

Richard Frase has been charged with four counts of making a false statement under oath or affirmation (28-915.01). Each count is a Class I misdemeanor punishable by up to one year in prison and/or a \$1,000 fine. Kaye A. Koci, Ugene Blank and Elaine Meyer have each been charged with one count of making a false statement under oath or affirmation.

The four individuals are accused of signing affidavits for recall petitions attesting to facts that were not true in an effort to recall Franklin City Councilman Len Herrick. Specifically, the accused attested to witnessing all of the signatures obtained on the petition they circulated. An investigation found that the number of signatures not witnessed ranges from one to as many as 30.

Attorney General Jon Bruning said, "It's important that the integrity of the petition process is maintained. Nebraska law in this regard is clear, and my office has no choice but to prosecute these individuals. The rules cannot be bent for anyone."

###

*Editor's Note: An audio clip featuring comments from the Attorney General is available at [www.ago.state.ne.us](http://www.ago.state.ne.us).*



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 21, 2004, 3:15 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General's Criminal Bureau Chief Selected to Head Nebraska County Attorneys Association**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that Don Kleine, chief of the Nebraska Department of Justice's Criminal Bureau, was elected president of the Nebraska County Attorneys Association during their annual meeting today in Omaha.

Attorney General Bruning said, "Don Kleine is a top-notch prosecutor and one of the best legal minds in the state. The Nebraska County Attorneys Association could not have picked a better person for the job."

Kleine said, "I consider it a great honor to be selected to lead such an outstanding organization dedicated to serving the people of Nebraska."

Kleine was hired by Attorney General Bruning in September 2003 after serving 12 years as chief deputy attorney for the Douglas County Attorney's Office. Prior to becoming chief deputy for Douglas County in 1991, Kleine was in private practice with an emphasis on civil litigation and criminal defense.

Kleine is a certified legal instructor by the Nebraska Commission of Law Enforcement and Criminal Justice and is an adjunct professor at Creighton University and the University of Nebraska at Omaha. He also serves on the Nebraska Judicial Resources Commission and the Nebraska Supreme Court Subcommittee on Criminal Jury Instructions.

Kleine earned his law degree from the Creighton University School of Law in 1977.

###



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 20, 2004, 12:00 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Withdraws Suit Against Omaha Real Estate Company**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that the state has voluntarily dismissed its lawsuit against the Richdale Group, an Omaha real estate company, for their refusal to rent an apartment to a stripper.

The Attorney General's office filed the suit on behalf of the Nebraska Equal Opportunity Commission on Oct. 8.

Attorney General Bruning said, "After further examination I determined that using state resources for this litigation would be inappropriate. I don't believe this case is a priority for the hardworking taxpayers of Nebraska. Strippers are not a protected class under the law like race, gender and religion. I don't think government's role is to force apartment owners to rent property to people engaged in the adult sex industry."

Complainants in housing discrimination cases also have civil recourse, which this individual is pursuing.

###



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**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
October 20, 2004, 2:20 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***

**Audio Clip Featuring Attorney General  
Bruning Now Available**

An audio clip featuring comments from Attorney General Jon Bruning regarding the state's voluntary dismissal of its lawsuit against an Omaha real estate company is now available on the Department of Justice's Web site at [www.ago.state.ne.us](http://www.ago.state.ne.us).

###



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**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
October 18, 2004, 6:35 a.m. CT

CONTACT:  
Regan Anson, Attorney General's Office, 402-471-2067 or 402-416-7539

**\*\*\*MEDIA ADVISORY\*\*\***

**Attorney General Bruning to Hold News  
Conference with Adjutant General Lempke  
at 9:30 a.m. CT TODAY**

Attorney General Jon Bruning and Maj. Gen. Roger Lempke, adjutant General of the Nebraska National Guard, will hold a news conference at 9:30 a.m. CT today, Monday, Oct. 18 at the Nebraska National Guard Air Base Hangar on 2601 NW 25<sup>th</sup> St. (next to the Lincoln Municipal Airport).

Attorney General Bruning will discuss distribution plans for the 33,500 compact discs Nebraska received as part of a \$143 million national antitrust settlement reached between 40 states and several major U.S. record distributors accused of price gouging.

Attending media should be prepared to show photo identification and press credentials at the security gate and should allow extra time for security clearance. Security personnel will provide further direction at the gate.

###



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 18, 2004, 9:30 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Sends 33,500 CDs to Nebraska Troops, Schools and Libraries**

(Lincoln, Neb.) Attorney General Jon Bruning today presented Maj. Gen. Roger Lempke, adjutant general of the Nebraska National Guard, with 5,000 compact discs to send overseas to deployed Nebraska National Guard troops and announced the distribution of 28,500 CDs to Nebraska schools and libraries.

Nebraska was awarded the CDs, which are valued at \$453,471.83, in a \$143 million national antitrust settlement reached between 56 states and U.S. territories and several major U.S. record distributors accused of price gouging.

Attorney General Bruning said, "This is a small way to recognize the sacrifices of our military. I hope this music will bring comfort to the Soldiers and Airmen serving our country so bravely overseas. I can think of no one more deserving."

Maj. Gen. Roger Lempke said, "I'm so pleased that the Attorney General's office thought of our Soldiers and Airmen who are fighting the Global War on Terrorism overseas. This music should help to make the time pass more quickly and just knowing that people back home in Nebraska are thinking about them helps their morale and ultimately improves their effectiveness."

The CDs include a wide variety of artists and genres, including rock, blues, jazz, country, classical, holiday, Latin, children's, soundtrack and roots.

Distribution of the CDs to Nebraska schools is population-based with a minimum of 25 CDs going to each of the 520 public school districts. Approximately 40 CDs will be delivered to each of Nebraska's 291 public libraries.

The Nebraska National Guard's Family Support Program will disperse their allotment of CDs to troops stationed in Iraq, Kuwait and Qatar.

###



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**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
October 18, 2004, 11:20 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***

**Audio Clip Featuring Attorney General  
Bruning Now Available**

An audio clip featuring comments from Attorney General Jon Bruning regarding his plan to distribute 33,500 compact discs Nebraska received as part of a nationwide antitrust settlement is now available on the Department of Justice's Web site at [www.ago.state.ne.us](http://www.ago.state.ne.us).

###



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**JON BRUNING**  
ATTORNEY GENERAL

**THE INFORMATION CONTAINED IN THIS ADVISORY IS**  
**EMBARGOED UNTIL 6:00 A.M. CT MONDAY, OCT. 18**

MEDIA ADVISORY  
October 15, 2004, 4:45 p.m. CT

CONTACT:

Regan Anson, Attorney General's Office, 402-471-2067 or 402-416-7539  
Lt. Col. Bob Vrana, Military Department, 402-309-7300

**\*\*\*MEDIA ADVISORY\*\*\***

**Attorney General Bruning to Hold News  
Conference with Adjutant General Lempke  
at 9:30 a.m. CT MONDAY, Oct. 18**

Attorney General Jon Bruning and Maj. Gen. Roger Lempke, adjutant General of the Nebraska National Guard, will hold a news conference at 9:30 a.m. CT Monday, Oct. 18 at the Nebraska National Guard Air Base Hangar on 2601 NW 25<sup>th</sup> St. (next to the Lincoln Municipal Airport).

Attorney General Bruning will discuss distribution plans for compact discs Nebraska received as part of a \$143 million national antitrust settlement reached between 40 states and several major U.S. record distributors accused of price gouging.

Attending media should be prepared to show photo identification and press credentials at the security gate and should allow extra time for security clearance. Security personnel will provide further direction at the gate.

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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 14, 2004, 11:15 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Warns Nebraskans to Beware of New Pyramid Scheme**

(Lincoln, Neb.) Attorney General Jon Bruning today warned Nebraska consumers not to be taken in by the latest pyramid scheme to come to the state, the "Women's Gifting Circle."

The Attorney General was notified of the scheme yesterday by Red Willow County Attorney Paul Wood after local law enforcement was contacted about the scheme's legitimacy.

"This is a great example of local and state law enforcement working together to protect Nebraskans," Attorney General Bruning said. "Pyramid schemes are illegal in Nebraska and often result in devastating financial consequences for participants. Statistics show that only 10 percent of people who join by putting up money ever get a return. If you're approached by this group contact local authorities."

The "Women's Gifting Circle" qualifies as a pyramid scheme because it focuses on recruiting others and there is no product to sell. Initial "gifts" in schemes like this can be as high as \$5,000, and the only way to get investment back is to invite other women to join the group. Nearly all pyramid schemes eventually collapse due to lack of recruits leaving "investors" out in the cold.

The following are tips consumers can use to avoid being victimized:

- Beware of high start-up costs.
- Resist the temptation to invest because the people selling are friends or co-workers.
- Be suspicious of any group that spends an inordinate amount of time talking about the legality and legitimacy of their operation.
- Contact the Attorney General's Office, Better Business Bureau and/or Federal Trade Commission before investing.

For additional information on this scam or other types of consumer fraud, contact the Attorney General's Consumer Protection Division at 800-727-6432 or 402-471-2682. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.

###

*Editor's Note: An audio clip featuring comments from the Attorney General on this pyramid scheme is available at [www.ago.state.ne.us](http://www.ago.state.ne.us).*



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**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: October 14, 2004  
Contact: Regan Anson 402-471-2067

### **Don't Fall Victim to Latest Pyramid Scheme**

Pyramid schemes are illegal in Nebraska and often result in devastating financial consequences for participants. In fact, statistics show that only 10 percent of people who join by putting up money ever get a return.

Unfortunately, there is a new pyramid scheme taking hold in communities across Nebraska called the "Women's Gifting Circle." If approached in some way about joining this group, I urge you to decline and contact local authorities. The "Women's Gifting Circle" qualifies as a pyramid scheme because it focuses on recruiting others and there is no product to sell. In New York, organizers of the group have paid more than \$100,000 in fines.

The courts have classified these types of schemes as "multilevel chain distribution gifting programs." The names of the levels are unique to each pyramid scheme but the fundamental structure remains the same. In some groups the different levels are meal courses such as appetizer, soup and salad, main course and dessert. In others the levels are referred to in holiday or garden and flower terms.

The intertwining of these pyramids with terms like "women helping women" and "empowerment" themes can make the scheme less obvious and more attractive. However, all pyramid schemes are the same at their core. New investors or gift-givers are told that the organization is legal and then they are told various ways to avoid paying taxes on the money they receive. Generally, the IRS will find that money was exchanged with the expectation of future profits and will consider it taxable as income.

Initial "gifts" can be as high as \$5,000, and the only way to get your investment back is to invite other women to join the group. As with all pyramid schemes, they eventually collapse due to lack of recruits. Mathematically, each new recruit would need to bring in 64 new members to rise to the fourth level of the organization. If the group has eight levels, each recruit would need to bring in 1,024 members, which illustrates just how quickly the pyramid call fall apart.

Consumers should be suspicious of any group that spends an inordinate amount of time talking about how legal or legitimate they are. Some group leaders have even claimed that their state Attorney General was contacted and they were informed the group was "fine." Be aware that as Nebraska's Attorney General I will *never* endorse or approve any type of business or plan.

(more)

Here are some tips to keep you from being victimized by these scams:

- Beware of high start-up costs.
- Resist the temptation to invest because the people selling are your friends or belong to the same organizations you belong to.
- Check with the Attorney General's Office, the Better Business Bureau and/or the Federal Trade Commission before you invest.

For additional information on this scam or other types of consumer fraud, contact our Consumer Protection Division at 800-727-6432 or 402-471-2682. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 12, 2004, 4:15 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Announces Nebraska's Participation in "Operation Roaming Charge"**

*State-Federal Partnership Targets International and Domestic Telemarketing Fraud*

(Lincoln, Neb.) Attorney General Jon Bruning today announced Nebraska's participation in "Operation Roaming Charge," the most extensive multinational enforcement operation ever directed at telemarketing fraud schemes.

The ongoing action began on Jan. 1, 2004, and involved unprecedented coordination at the state, national and international levels to combat telemarketing fraud schemes. The schemes uncovered in the operation include every major category of telemarketing fraud: do-not-call violations; bogus lottery, prize and sweepstakes schemes; offers of nonexistent investments; bogus offers of "pre-approved" credit-cards or credit-card protection; employment and business opportunity swindles; and tax fraud schemes, among others.

Since the start of Operation Roaming Charge, at least 30 state Attorneys General have brought 279 criminal, civil and regulatory actions against illegal telemarketing operations. Attorney General Bruning was among 10 Attorneys General who reached a settlement with New Access, a telemarketing firm based in Minneapolis, Minn. The company was accused of "slamming," or switching a customer's phone services provider (usually long distance) without their knowledge or consent.

Nebraska received \$35,000 in the settlement. Per terms of the settlement, the money will be used for consumer education and public protection and to cover attorney fees and investigative costs. Consumers who filed complaints against the company received \$50 from New Access and had the option of speaking with an arbitrator to obtain a larger refund.

Attorney General Bruning said, "The Operation Roaming Charge cases clearly show that telemarketing fraud has become increasingly sophisticated and international in scope. Thanks to the efforts of law enforcement across the globe, we are making huge strides toward putting a stop to these illegal activities. As Attorney General I will continue to do everything in my power to hold accountable those who take advantage of Nebraska's consumers."

Overall, the operation has resulted in the arrest of more than 100 individuals in the United States, and an additional 19 arrests overseas. More than 75 search warrants were executed as part of the operation and 74 individuals have been convicted in the United States to date. The operation also involved civil and regulatory actions by various federal and state agencies.

*(more)*

*Operation Roaming Charge, Page 2*  
*October 12, 2004*

Operation Roaming Charge investigations and actions led to the discovery of more than 1 million victims who suffered losses totaling more than \$1 billion. This initiative involved coordination among the National Association of Attorneys General; 37 U.S. Attorneys' offices nationwide; the Criminal, Civil and Tax Divisions of the Department of Justice; 24 of the FBI's 56 field divisions; 14 of the Postal Inspection Service's 18 field divisions; the Bureau of Immigration and Customs Enforcement; the Royal Canadian Mounted Police; the Federal Trade Commission; the Internal Revenue Service Criminal Investigation; the Securities and Exchange Commission; the Commodity Futures Trading Commission; the North American Securities Administrators Association; and numerous other federal, state, local and foreign law enforcement and regulatory agencies.

Victims of telemarketing fraud can file a complaint with the Attorney General's office on-line at [www.ago.state.ne.us](http://www.ago.state.ne.us) or by calling 800-727-6432 or 402-471-2682. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555. Complaints can also be filed with the Federal Trade Commission's Consumer Sentinel by calling the FTC's toll-free number, 1-877-FTC-HELP, or by filing an on-line at [www.ftc.gov](http://www.ftc.gov).

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*Editor's Note: An audio clip featuring comments from the Attorney General is now available on the Department of Justice's Web site at [www.ago.state.ne.us](http://www.ago.state.ne.us).*



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**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
October 7, 2004, 11:45 a.m. CT

CONTACT: Regan Anson  
402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***

**Audio Clip Featuring Attorney General  
Bruning Now Available**

An audio clip featuring comments from Attorney General Jon Bruning is now available on the Department of Justice's Web site at [www.ago.state.ne.us](http://www.ago.state.ne.us).

In his comments, the Attorney General discusses the appeal filed yesterday which seeks a tougher sentence for a father sentenced to probation for breaking his infant daughter's legs.

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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
October 6, 2004, 2:30 p.m. CT

CONTACT: Regan Anson  
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## **Attorney General Bruning Files Appeal for Tougher Sentence in Child Abuse Case**

(Lincoln, Neb.) Attorney General Jon Bruning filed an appeal in Douglas County District Court today seeking a tougher sentence for a father convicted of breaking his five-week-old daughter's legs.

Paul K. Rivera, 40, of Thornton, Colo., was sentenced to three years probation by Douglas County District Judge Joseph Troia on Tuesday, Sept. 28 after pleading no contest to felony child abuse, a crime punishable by up to five years in prison.

Attorney General Bruning said, "A sentence of probation is a miscarriage of justice for the five-week-old baby who suffered terrible abuse and pain at the hands of her father. As Attorney General, I'm committed to protecting Nebraskans, especially our kids and those who are most vulnerable. On my watch, those who commit crimes against children will be prosecuted to the fullest extent of the law."

Judge Troia also granted Rivera's request to serve the probation in Colorado and ordered him to continue treatment for anger management

Five-week old Olivia Rivera's injuries were discovered last November by doctors at Children's Hospital in Omaha who were treating her for a broken thighbone. During her examination doctors also found a fractured rib and four other fractures in her thighbones and shinbones.

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**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: October 1, 2004  
Contact: Regan Anson, 402-471-2067

**Celebrating Hispanic Heritage Month**

The United States is blessed to have a diverse group of citizens who hail from countries and cultures around the world, and Nebraska is no exception. Every day we are able to experience new and exciting traditions, perspectives and ways of life. The different cultures, religions and races that exist in our state are something to be celebrated. After all, our differences are what make us great.

From September 15 to October 15 people around the country will celebrate Hispanic Heritage Month. In recognition of this celebration, I want to take this opportunity to recognize and applaud the diversity that Nebraska's Latino population brings to our state.

The Hispanic community has long been an important part of Nebraska. It is also a growing one. In 1990, according to the U.S. Census, Nebraska's Latino population was roughly 37,000, or just over 2 percent of the total state population. Since that time our Hispanic population has grown to more than 94,000, or 5.5 percent of the total state population.

Throughout my tenure as Nebraska's Attorney General, I've been fortunate to have developed a strong relationship with our state's Hispanic community. I've also been blessed with opportunities to travel to several Latin American countries as a member of the American Council of Young Political Leaders. Those experiences have been instrumental in helping me gain perspective on the challenges facing our Hispanic communities.

We've worked diligently from the State Capitol to ensure that all Nebraskans receive the highest degree of services and protections. One way we are accomplishing that goal is through our Latino Outreach Program in our Consumer Protection Division. Latino Outreach Coordinator Renee Martinez-Junck travels the state assessing the consumer protection needs of Latino communities and educating Latino consumers on fraud and scams. Unfortunately, because of language barriers, our state's ethnic communities are often targeted.

I encourage consumers who believe they have been a victim of a scam to contact our Consumer Protection Division at 800-727-6432 or 402-471-2682. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.