

COUNTY ATTORNEY'S OFFICE
James M. Reams, County Attorney

Introduction

The office continuously strives to improve the quality and efficiency of processing cases and seeking justice within the confines of a delicate balance of resources. The County Attorney wishes to thank the Delegation for their support and looks forward to continuing the work to provide justice to the citizens of this County.

Mission Statement

"The mission of the Rockingham County Attorney's Office is to improve the quality of life for the citizens of Rockingham County by seeking justice professionally, effectively and efficiently."

The County Attorney is a constitutional officer and chief law enforcement official in Rockingham County whose duties and responsibilities have been defined by common law and statutes. In the absence of the Attorney General, the County Attorney performs all the duties of the Attorney General's office for the County. He has the responsibility for and exercises general supervisory control over the enforcement and prosecution of state criminal laws.

The County continues growing at a rate above the rest of the State. The threats to our rapidly expanding communities are likewise increasing. The laws regarding criminal procedure, search and seizure, and permissible investigative techniques is increasingly complex. The County Attorney has an important responsibility to provide general oversight, guidance, and training to the County law enforcement agencies. The responsibility is to ensure that the community is protected from criminals and that cases are successfully prosecuted, but also to ensure that all of our citizens' rights are scrupulously protected.

Since 1999, when County Attorney Reams first took office, the number of cases handled by the office has dramatically increased. A strict comparison of the actual number of True Bills returned by the Grand Jury reveals a leap from 1254 in 1998 to 2436 in the year 2004. Simply comparing these numbers cannot accurately reflect the increased workload handled by this office. Some might suggest that the numbers could be skewed by "overcharging" certain types of cases. This is not done in Rockingham County. The County Attorney exercises great restraint and consideration when making charging decisions. The County Attorney prefers to track the workload by comparing the number of "case files" opened. A file may have numerous charges, but will involve one investigation and one defendant.

Crime Statistics For Matters Filed In Superior Court

- Indictments have increased to 2436
- The number of individuals indicted rose to 1127
- 1494 cases were scheduled for trial
- Duty calls from police departments after hours increased to 281
- Victim Advocates had 13,573 contacts with victims and witnesses
- Our two part-time investigators handled 544 cases

Prosecutors

The County Attorney and his Deputy oversee a staff of 32 including 13 Assistant County Attorneys. The Assistant County Attorneys are divided into teams covering three geographic regions of the county. The team covering the western part of the county has seen the most significant increase in cases.

The County Attorney continues to be proactive in providing assistance during the earliest stages of a case. Prosecutors answer questions from law enforcement regarding investigations and charging decisions 24 hours a day. All prosecutors are periodically scheduled to be "on-call" after hours and do not receive overtime or other consideration for this added duty. The prosecutors recognize that this function results in better investigations, prosecutions, and protection of citizens rights. On average, three out of four nights prosecutors answer calls from police departments.

In addition to these duties the prosecutors carry an average of 157 felony cases at all times. In contrast, a Public Defender has a contract with the State to provide for a maximum of 55 cases, including misdemeanors and other duties. Our heavy workload places significant stress on the entire staff. It should be noted that attorneys working at other County Attorney Offices in New Hampshire carry approximately 100 cases.

District Court

While the County Attorney is responsible for criminal prosecution in the County, police departments have traditionally prosecuted their own cases at the District Court level in New Hampshire. The County Attorney's Office provides assistance to departments when requested and occasionally for short periods when departments have been without personnel. The County Attorney has assumed complete responsibility for District Court prosecution when the department or municipality reimburses the county for the associated cost of providing that service. This is done because district court prosecutors are not provided for all the towns.

The County Attorney supervises one full time and one part time prosecutor assigned to the Portsmouth Police Department under a fully funded contract. An Assistant County Attorney has been assigned to the Salem Police Department under a fully funded contract. Both Salem and Portsmouth have requested an additional prosecutor be hired to assist in the growing caseloads. The Plaistow District Court prosecutor position was filled in 2003 with 5 towns entering into the contract. In 2004, the County Attorney's Office was given authority to hire an administrative employee to assist in the prosecutorial duties of the Plaistow District Court.

The County Attorney has provided prosecution for towns in the Auburn District Court area including Nottingham and Candia. The County Attorney previously prosecuted cases for Epping and Northwood however both towns opted to hire attorneys on a part time basis to act as their prosecutors.

Victim Witness Advocates

The County Attorney's Office has three full-time Victim/Witness Advocates. The advocates work primarily on victim cases by providing information and assistance

with compassion and professionalism. Advocates guide victims through the criminal justice process and work to ensure that the victim's rights are protected in accordance with RSA 21-M:8. Each of the advocates averaged over 258 telephone conferences and more than 55 office conferences to victims each month.

One advocate position continues to be grant funded through the Violence Against Women Act. The federal grant limits the types of cases that this advocate may work on but the majority of this employee's salary is paid through federal funding. In the past, Americorps provided an advocate however funding was not available to our office in 2004. With the increasing caseload, it will be necessary to add an additional full time advocate to maintain the level of services demanded by the Victims Bill of Rights.

Investigators

Investigators reviewed approximately 544 cases all involving victims in 2004. Additionally, they reviewed and validated 298 cases pending in the National Crime Information Center (NCIC), which is used by law enforcement to locate defendants evading justice. Other duties include but are not limited to assisting law enforcement agencies in follow-up investigations, locating missing witnesses and conducting interviews. In addition, the investigators handled 13 complaints against police departments, performed 10 background checks for prospective employees, and fielded 32 walk-in contacts during 2004.

Medical Examiners

In every case of a medical legal death, the Medical Examiner, or an Assistant Deputy Medical Examiner is required to respond and conduct an examination. Examiners conducted 173 scene investigations this year. Local funeral homes provide removal and transportation services and it is anticipated that these expenses may continue to rise.

Child Advocacy Center Of Rockingham County

Our Child Advocacy Center is the first established in New Hampshire. The Child Advocacy Center provides child friendly forums for multidisciplinary interviews at sites in both Portsmouth and Derry. The Child Advocacy Center was Rockingham County's response to a legislative mandate that agencies investigating child abuse work cooperatively to minimize the impact on a child. A second Child Advocacy Center site located in Derry was opened in 2003.

The Child Advocacy Center is a non-profit entity that is staffed and funded through grants and fundraising efforts. The County Attorney is on the board of directors and has representatives on the advisory board of the Child Advocacy Center. The model has been so successful that a legislative committee has recommended that our model be implemented statewide. The Governor and Attorney General have supported this model and have made matching funds available to enable other counties to establish Child Advocacy Centers of their own.

Prosecutors attended 152 interviews at the Child Advocacy Center in 2004. The time consuming process is critical to successful case resolutions. As the Court docket becomes more demanding, it will be difficult to keep pace with covering these interviews. In many of the jurisdictions across the county, prosecutors are

rotated through full time assignments at their Child Advocacy Centers. Proper coverage for the Child Advocacy Center will be essential for continued success.

Future Challenges and Opportunities

The availability of the internet has provided a new forum for criminals and predators. The laws to provide appropriate protections are slowly catching up to meet the threats. Investigating and prosecuting these technology-assisted crimes present new challenges for law enforcement and prosecution. The cases that reached into our communities include a new way to violate a protective order with relative anonymity, cyber stalking, child pornography, solicitation, and identity theft.

Information management will be critical for future law enforcement successes. Keeping pace with developments in computer power, software, and access will be an essential expense.

In closing, I want to commend the entire staff of the Rockingham County Attorney's Office. They are dedicated and compassionate professionals who are committed to the mission of this office. They have and will continue to do what it takes to get the job done. The citizens of this county can be assured that the staff serves them well. I would also like to thank the Commissioners and Delegation for their support in rebuilding the Rockingham County Attorney's Office.