

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 2240 in the year 2005. 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

- 2240 indictments
- 1518 cases were scheduled for trial
- Duty calls from police departments after hours were 222
- Victim Advocates had 11,797 contacts with victims and witnesses
- Our two part-time investigators handled 517 cases
- 470 closed files were reopened in 2005. These cases are not counted as "active" cases. Reopened cases generally require prosecutors to respond

to post conviction motions and to appear at related hearings. The Court has adopted a liberal policy with regard to accepting and scheduling hearings for these pleadings. The matters have become increasingly time consuming for the staff. Petitions for Writ of Habeas Corpus require our prosecutors to attend hearings at the state prison and at the Coos County Court for matters involving prisoners held in the Berlin facility.

Prosecutors

The County Attorney and his Deputy oversee a staff of 31 including 13 Assistant County Attorneys. The Assistant County Attorneys are divided into teams covering three geographic regions of the county.

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 120 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.

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 Plaistow District Court prosecutor position was filled in 2003 with 5 towns entering the contract. In 2004, the County Attorney's Office was given the authority to hire an administrative employee to assist in the prosecutorial duties of the Plaistow District Court and this position was filled.

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 238 telephone conferences and more than 46 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. 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 517 cases all involving victims in 2005. Additionally, they reviewed and validated 300 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 15 complaints against police departments, performed 10 background checks for prospective employees, and fielded 32 walk-in contacts during 2005.

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 179 interviews at the Child Advocacy Center in 2005. 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.

ENGINEERING AND MAINTENANCE SERVICES

Jude A. Gates, Director of Facilities, Planning, and IT

2005 was a busy year for Engineering & Maintenance Services, full of accomplishments and challenges. We are fortunate to participate in projects covering the gamut of operations at the County Complex. We see that the results of our labor touch directly on residents, staff, and visitors. The dedication and hard work is evident in every work order executed. Our mechanics' insistence on excellence and sense of ownership are a continuing source of pride and inspiration.

Two projects in particular stand out for 2005. A security upgrade was undertaken at Corrections facility updating cameras, door locking, communication systems and equipment throughout. Staff was involved in this project on a daily basis, ensuring long and short term stability of the project.

Especially exciting was the capital project undertaken at the Rockingham County Nursing Home (RCNH) in the Fernald Building involving upgrades to the nursing unit on the second floor and expansion of the assisted living module on the first level. Our team dedicated nearly 3,000 hours to this important project to ensure excellence. The pleasure and enjoyment of the final product by residents and staff is a tribute to the hard work poured into the project.

Other projects undertaken and overseen in 2005 include the following:

- Replacement of the nurse's call system in RCNH Driscoll Building
- Upgrade of the fire alarm system in the RCNH Underhill and Blaisdell buildings and access control system at the administration building
- Flooring replacement RCNH Driscoll building first floor
- Overhaul boilers #1, #2, and #3 at the RCNH Boiler Plant as well as the post purge systems along with inspection and repairs to the chimney

- Replacement of PCV plumbing with copper in the jail
- Replacement of twenty-five interior steel doors at the jail
- Installation of fire alarm and access control systems at the Water Treatment Facility, Motor Services Garage, and Buildings & Grounds shed.
- Repair and upgrade to the North Road sewer lift station
- Cleaning and disinfection of the air handling equipment serving G-block and booking area at the Jail, and multiple units serving the RCNH Blaisdell building
- Repairs to the roof on the Carlisle building
- Rebuild the muffin monster for sewer lift station #1
- The historical #6 oil spill at the RCNH Boiler Plant continues to be monitored via our Groundwater Management Program and under the direction of NHDES.

Our projects are undertaken in collaboration with members of the affected departments and exhaustive research is done to ensure that the final product meets or exceeds the needs of staff and residents. I am extremely grateful for the patience and participation of the Officials and Division Directors. The support given by the Board of Rockingham County Commissioners is greatly appreciated.

HUMAN RESOURCES DEPARTMENT

Martha S. Roy, Director

During the past year the Human Resources Department conducted many training programs for employees. Administrative Professionals Training, Supervisors Academy, and a Changing Demographics/Cultural Diversity seminar took place in the spring. The Healthy Lunch lecture series was continued offering employees opportunities to enjoy a calorie conscious lunch with a health topic lecture. In a joint effort with the Engineering and Maintenance Department, 11 computer training courses were held in the fall with topics ranging from Word to Power Point. The eighth annual Health and Benefits Fair was held in October for all employees. This event provides employees the opportunity to meet the health and benefit providers of the County to learn particulars of the various benefit plans and ways to lead healthier lifestyles.

The County changed to Wausau Benefits as the health insurance plan third party administrator and the network was changed to Aetna Signature Administrators. The County's Preferred Provider Organization plan experienced increases in the premiums for 2005. Delta Dental continued as our self-insured dental plan administrator and network in 2005.

The Human Resources Department continues to provide assistance on finalization of job descriptions with departments and provides all entrance and exit interviews to County employees, which introduce them to the current County benefits as well as Personnel Policies and Procedures. Support is provided for personnel issues and facilitation is supplied to the Employee Advisory Committee, Joint Loss Management Program (Safety) Committee and County Management Team. All employee personnel files are maintained in the Human Resources Department.

We welcome any suggestions to better serve the County.