

GRAFTON COUNTY COMMISSIONERS' MEETING  
 3855 Dartmouth College Hwy  
 North Haverhill, NH 03774  
 February 10<sup>th</sup>, 2015

PRESENT: Commissioners Michael Cryans, Martha Richards, Linda Lauer, Executive Director Julie Libby and Assistant S. Norcross.

OTHERS PRESENT: FM Kimball, RD Monahan

FM Kimball arrived and gave the following report:

- 1) We are milking seventy four head of cows and shipping six thousand two hundred pounds of milk. This is an average of eighty four pounds per cow.
- 2) The price of milk is \$21.90 per hundredweight.
- 3) Farm 3, (Brian Tillotson) feels he will be back to work from knee surgery around the first of March.
- 4) This has been a tough winter season with farm 3 out, the cold winter and now all the snow. This causes many machinery malfunctions when it is severely cold.
- 5) Garden seeds have been ordered through Harris Seeds and we are looking forward to Spring arriving.
- 6) Having only two farm workers, we have been doing chores and getting by.

RD Monahan arrived and gave the following report:

**Grafton County Registry of Deeds  
 Kelley J. Monahan Register  
 Report to Commissioners  
 February 10, 2015**

**January Revenue**

County Revenue 1/2009	\$ 75,861.00	State Revenue 1/2009	\$ 461,003.52
County Revenue 1/2010	\$ 57,423.27	State Revenue 1/2010	\$ 339,951.36
County Revenue 1/2011	\$ 68,696.84	State Revenue 1/2011	\$ 324,824.64
County Revenue 1/2012	\$ 62,139.27	State Revenue 1/2012	\$ 256,680.00
County Revenue 1/2013	\$ 64,370.72	State Revenue 1/2013	\$ 301,115.52
County Revenue 1/2014	\$ 55,367.36	State Revenue 1/2014	\$ 405,148.00
County Revenue 1/2015	\$ 54,735.80	State Revenue 1/2015	\$ 396,939.84

**Foreclosures**

2009 14 year to date  
 2010 21 year to date  
 2011 14 year to date  
 2012 12 year to date  
 2013 19 year to date  
 2014 15 year to date

**Revenue Goal FY/2015** \$950,000.00  
 7 month total - \$508,047.23  
 (\$ 441,952.77)

**Surcharge Funds**

Bank of New Hampshire \$ 43,899.92

2015 13 year to date

Ledyard Bank CD .50     \$ 101,189.66  
\$145,089.58

**Respectfully Submitted,**

**Kelley J. Monahan**  
**February 10, 2015**

Commissioner Cryans asked if everyone had a chance to read the minutes from February 3<sup>rd</sup>. Commissioner Lauer moved to approve the minutes from February 3<sup>rd</sup>. Commissioner Cryans seconded the motion and all were in favor. Commissioner Richards abstained.

The Commissioners signed check registers 653; 1123; 1129-1132.

ED Libby submitted the GCDoC Superior Court Report for the month of January for the Commissioners to review.

ED Libby submitted three (3) CDFA drawdowns for the Micro Enterprise grant for Commissioner Cryans to sign. Hannah Grimes in the amount of \$42,756, Regional Economic Development Center in the amount of \$10,095 and WREN in the amount of \$17,755.

ED Libby stated that the Probation and Parole Lease for their space in the courthouse is expiring on June 30<sup>th</sup> of this year. She explained that she has been in contact with Ray Holland and he says that if the county is still interested in having Probation and Parole at the courthouse they need to send an email to Concord stating so. Commissioners agreed they all want Probation and Parole to remain located in the courthouse. ED Libby stated they have not discussed lease costs but she wanted to inform them of what has been discussed so far.

ED Libby stated that Mark Scarano's Farwell Dinner will be held February 19<sup>th</sup> at the Common Man at 5:00pm.

Commissioner Cryans stated that he and Commissioner Lauer attended the Burton Legacy dinner, roughly \$110,000 was raised that will go to the Burton Museum in Bath and for the Plymouth State University scholarship in Ray's name as well as a scholarship at the community colleges.

Commissioner Cryans stated that he attended Former Rep. Elizabeth Crory's service in Hanover.

Commissioner Cryans attended the NHAC meeting on Friday. He stated there was a lot of discussion about the Executive Director position. They thought they had someone picked out for the position and they backed out so now they are back to square one. He stated they also talked about the managed care and what's going to happen, as well as the funding cuts to the nursing home.

Commissioner Cryans stated that Supt. Tom Elliott was voted on the certification board.

Commissioner Richards attended the Legislative breakfast. Senator Forrester was in attendance. They discussed the funding cut to the nursing homes and how roughly \$180,000 would be cut from Grafton County.

Commissioner Richards commended NHA Labore on his efforts to spread the word about the funding cuts.

9:50AM with no further business the meeting was adjourned.

After the meeting the Commissioners toured the County Attorney's office, signed the swearing in forms for the attorneys; toured the sheriff's office including the connector with the House of Correction and met with jail personnel; toured the Superior Court and met with Clerk of Courts, David Carlson; toured Dispatch. The Commissioners also reviewed various spaces for available offices and storage. The Commissioners were given the following written report from Office Administrator Alison Farina in Atty. Saffo's absence.

**Office of the Grafton County Attorney  
Lara Saffo, County Attorney  
February 10, 2015  
Report to the Commissioners**

**The Mission of the Office of the Grafton County Attorney is to pursue justice and promote the safety and security of the County's citizens, thereby enhancing the quality of life in Grafton County. We will seek to achieve these goals by:**

- Striving for just disposition of criminal cases through timely, efficient and effective prosecution.
- Ensuring that victims and witnesses of crimes are treated with respect, courtesy, and sensitivity as they cooperate with criminal prosecutions.
- Improving the criminal justice system by identifying areas of need and working collaboratively with other criminal justice agencies and the community to improve the criminal justice system.
- Encouraging and promoting crime prevention and early intervention initiatives.
- Identifying, promoting and implementing new and innovative approaches to solving crime problems.

**(1) 2014 STATISTICS**

Cases received by the Office of the Grafton County Attorney - January 1st – February 10<sup>th</sup>

2015 - 74  
2014 - 83  
2013 - 108  
2012 - 72  
2011 - 67

(2) The Skye System

We met with Carousal Industries to determine options, and the cost of options, to upgrade the electronic capabilities of our courtrooms. We greatly appreciate the IT Department arranging for this meeting. We are working on a proposal for the next budget cycle to ensure that our courtrooms have electronic capabilities that will make it easier for some children to testify about traumatic events. We refer to this as the "Skye System" in honor of a brave child we had the honor of working with.

We also seek to learn the costs associated with a projector system to show exhibits, such as videos and photographs to jurors. Currently, we have worked with the same projector for over ten years, and a screen we balance on a desk. It is outdated technology which can be distracting for a jury. Newer technology will be more effective as attorneys seek to explain the evidence to juries. Rather than view electronic capabilities in a piece meal fashion, I am developing an overall strategy.

I am hoping this technology will also enable us to present testimony from witnesses and officers electronically in *some* preliminary hearings, such as bail hearings, probable cause hearings, or victim restitution hearings.

(3) New Court Initiative –Felonies First

I am not meeting with you today as it is the public hearing on the Felony First Initiative. The Office of the Grafton County Attorney continues to work on manners to ease us into this initiative. My biggest concern is the need for 24/7 coverage in the Office of the Grafton County Attorney for all felonies in Grafton County. Currently, we provide such coverage for untimely deaths and sexual assaults only (although we are always available for questions). As we have discussed, the Court is recommending that all felony charges be filed in Superior Court from the onset. The recommendation presumes that the Office of the Grafton County Attorney would be involved at arrest. This is known as the "Felony First" initiative<sup>1</sup>.

(4) Office Hours in the Community

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<sup>1</sup> For those reading these minutes without background, under this system, felonies would be filed in superior court, and the county attorney offices would be responsible for these cases at arrest. We would handle the initial bail hearings, which are currently handled by the police departments, and have to be available 24/7 for all felonies, and have paperwork ready for the court on short notice. This will significantly increase our workload.

The Chief Justice for the Superior Court came to Grafton County and gave a presentation to police chiefs on this initiative. I have a copy of the powerpoint, which I believe you have seen as well.

As part of getting ready for felony first, and in an effort to better serve our police departments and communities, I have identified off site space for the Office of the Grafton County Attorney to hold regular hours. With our software, we can access most files with our laptop computers, and the prosecutors can access e-mails via the internet. They have cell phones as well. Accordingly, we think we can do this in a cost effective manner. In Hanover, we will be holding monthly office hours at Dartmouth College, as part of our initiative to develop stronger relationships with the student body. In the Plymouth area, we have begun the relationship with PSU's Business Enterprise Center, and will be holding our first office hours on Wednesday at that location, which is close for all police agencies in the Plymouth area, as well as PSU students. We will be holding office hours in the Littleton area as well.

(5) New Court Initiative: Initial Appearance Pilot Project

Under this pilot project, after a defendant is arrested, the case is still filed in Circuit Court first, and the probable cause hearings still occur in Circuit Court. A bindover from Circuit Court is still, as now, sent to Superior Court after the probable cause hearing.

The new process occurs after the bindover is received. Within thirty days of a bindover being received in superior court, regardless of whether the defendant has yet been indicted, the case is scheduled for a new hearing, known as an "Initial Appearance." The State will have had to have provided discovery and a plea offer ten days before the Initial Appearance, basically within twenty days of the bindover being received in Superior Court. There is an opt out process if the case is not ready for plea negotiations.

This involves a significant amount more work for law enforcement and the Office of the Grafton County Attorneys. Towns will have to fund coverage such that officers can complete all aspects of the investigation on shorter notice. The County Attorney offices have to ensure we receive all the discovery, review it on an expedited basis, send it on an expedited basis, and make a plea offer on an expedited basis. If there are victims, our victim-witness program has to reach out on an expedited basis as well, which completely changes their system, as currently they mail the indictments and pamphlets for victims to review before telephone contact is initiated.

(6) Early Case Resolution

As noted earlier, we are moving along implementing ECR principles in the Office of the Grafton County Attorney. Initially we were using Strafford County as a template, but we are modifying this approach. Fine tuning our approach is necessary, as we try new things.

While we are only half of the plea negotiation team, meaning we need the defense to be willing to engage in early case resolution, our prosecutors and support staff are expediting sending out discovery and plea offers earlier in the process. This improves justice, as the studies prove that

the closer the punishment/resolution to the conduct/crime, the more effective the punishment/resolution. It also saves money, as it is a more efficient manner of running our court system.

(7) Participation in Alternative Sentencing:

a. **Drug Court**

We continue to screen all referrals to determine whether someone is an appropriate drug court candidate. Our current program prohibits sale related offenses, and requires me to certify that the participant is non violent. There has been, and continues to be, a push to expand the program. I would be comfortable with developing another track, where, like most of the country, the conviction is not vacated (for example, I am uncomfortable with a sale conviction being vacated, and permanently off someone's record so quickly). There are other concerns as well. If the County is interested in expanding the program, I recommend the stakeholders meet again, with commissioner involvement, so a decision can be made one way or the other.

The Office of the Grafton County Attorney continues to participate in the weekly court sessions every Monday, and assist with protocol and form development.

b. **Mental Health Court**

Mary Bleier is our office's representative for the Mental health court initiative. I continue to support the development of a felony level program as well.

c. **Justice Involved Veterans**

I am honored to serve as a prosecution representative on New Hampshire's Justice Involved Veterans Task Force. The Task Force is organizing a state wide, all day conference for June 12, 2015. This will be a vital opportunity to learn about ways we can improve services to veterans in New Hampshire. An excellent source of information about Veterans Courts is at <http://www.justiceforvets.org/>.

d. **New initiatives**

I look forward to working with Lucille Amero to evaluate whether Grafton County can initiate a pretrial services and adult diversion program. I believe such a program would save taxpayers money and ensure safer communities in New Hampshire. Last month a representative from the Office of the Grafton County Attorney joined a group of people from the Alternative Sentence Department to view the Sparrow Program in Vermont.

(8) Circuit Court

The Office of the Grafton County Attorney does not hire Circuit Court Prosecutors, with limited exceptions. However, we are receiving increased requests for assistance from Circuit Court

prosecutors. This work is not reflected in our statistics, but is vital. We have continued to work hard to coordinate and support the circuit court prosecutors in Grafton County. We have started a webpage entitled the NH Prosecutors Network, with a section for Circuit Court prosecutors, which is developing in leaps and bounds.

(9) Juvenile prosecutions

We are also receiving increased requests for assistance in juvenile matters, especially juvenile sex crimes. This is extremely time consuming, but also extremely important. Thus, I have identified a single prosecutor to become an expert on juvenile laws, so she can provide advice in short notice to all agencies.

(10) Victim-Witness Program for Domestic Violence and Sexual Assault cases

We would like to apply for this grant again, to continue the newly developed victim-witness program for Circuit Court Prosecutors. It is due in February.

(11) The Child Advocacy Center



The CAC continues to be busy.

CAC Business Updates

County	Month	#FI
Grafton		
	Dec. 2014	13
	Jan 2015	15
	Feb to date	2 (5 more scheduled)

I cannot emphasize enough the importance of this multidisciplinary approach towards helping our children. We have developed a new procedure in the Office of the Grafton County Attorney regarding child sexual assault cases, in which our investigator is available to answer police department questions on investigations, our prosecutors review the forensic interview close in time to it occurring, and our Victim-Witness Program is involved soon after the CAC interview occurs. For 2016, I wish to find CAC space in the Plymouth area. The CAC's budget cannot accommodate this commitment.

I do think financial support from the County is appropriate, the question is where in the County budget. I am adding a line item to my budget, but am open to suggestions for alternative sources.

(12)SARTS

- a. Plymouth Area Sexual Assault Resource Team
- b. Upper Valley Sexual Assault Resource Team
- c. Littleton Area Initiatives

(13)Cybercrime Initiative

Paul and I will be visiting The Commonwealth of Massachusetts Cybercrime division to look at ways to develop stronger Cybercrime initiatives.

(14)Drugs in Our Communities

I will be meeting with a Haverhill area task force to discuss the drug in our communities.

(15)Training

- a. The Office of the Grafton County Attorney will be attending the Prescription Drug Abuse training on February 13<sup>th</sup>.
- b. The Office of the Grafton County Attorney continues to conduct trainings for law enforcement and will be releasing a calendar for 2015.
- c. Google Site  
Plymouth State University is assisting in developing a google site for law enforcement. The Office of the Grafton County Attorney can administer the site, and law enforcement can be invited to join with a gmail account. We will have reviewed webinars, announcements and other training materials available 24/7.
- d. PSU library  
PSU has offered to provide library cards to members of law enforcement who wish to have a library card. The Office of the Grafton County Attorney will maintain a list to provide to PSU's library. Again, we greatly appreciate Plymouth State University's assistance in this initiative.
- e. Prosecutors Network  
We continue to work on sharing legal research and other resources with prosecutors via a simple system on our website.
- f. Intern Brochure
  - i. We have received numerous requests for students to intern. While we cannot accommodate all these requests, working with a PSU intern, we have developed a brochure of resources for students that we will post on line. Thank you to Lucas, our PSU intern, who wrote this brochure.



(16)Law student interns

This week, we have meetings with potential law student interns for the summer of 2015.

(17)Webpage

We hope to focus on the NH Prosecutor's Network so we can share legal research among prosecutors merely by logging onto the Network. Again, thanks to the Commissioners, the IT Department and Samantha Norcross for their hard work on expanding access to information on webpages.

(18)Drop box

We are working with defense attorneys to forward discovery electronically via drop box, which would save costs in copying, and have an effective mechanism to track discovery. Thanks again to IT for assisting us with the security issues associated with drop box, and for Thomas Andross for his assistance understanding the NCIC system's requirements on electronic discovery.

(19)Facebook

This project has been delayed as we work through security issues, but we have not given up on having a uniform county facebook page we can go on that has all the police department facebook pages readily available. This is another effective mechanism to relay safety information to the public. In addition, it is vital that the public learns about the many good things happening in our police departments. This is another avenue to spread that information.

***As always, if you have any questions, please do not hesitate to contact me. I welcome the opportunity to answer any questions.***

Respectfully Submitted,

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Linda D. Lauer, Clerk