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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

GORDON J. MACDONALD
ATTORNEY GENERAL



JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

September 12, 2019

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be, and it hereby is, given to the Attorney General to reappoint Benjamin J. Agati (Position #9U289, Appropriation #02-20-20-200510-2610-013-500132) as an Assistant Attorney General at a salary of \$89,873.44 effective upon Governor and Executive Council approval or October 11, 2019, whichever is later, for a term ending October 14, 2024.

EXPLANATION

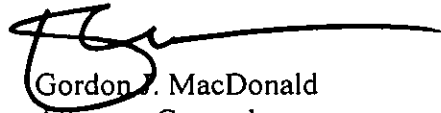
Mr. Agati is a resident of North Billerica, Massachusetts, and is a member of the New Hampshire Bar. He received his law degree from the University of Dayton School of Law in 2002 and joined the Office's Criminal Bureau in 2006 as an Attorney. Mr. Agati was appointed an Assistant Attorney General in August of 2007, occupying a position with a five-year term that expired October 14, 2009. He was reappointed in 2009 for a full five-year term. He was reappointed again for another full five-year term in 2014. He was designated as a Senior Assistant Attorney General in January of 2015. This request would give Mr. Agati another full five-year appointment. Mr. Agati is currently assigned to the Criminal Justice Bureau, and I plan to continue his current salary and assignment. His resume is attached.

RSA 94:1-a(I)(c)(3) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

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I am very pleased to offer Mr. Agati for this reappointment as an Assistant Attorney General at the above-referenced salary amount and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,



Gordon J. MacDonald
Attorney General

#2500117

Benjamin J. Agati

Member in Good Standing in New Hampshire, Massachusetts, and the U.S. Dist. Ct. – District of New Hampshire

WORK EXPERIENCE

OFFICE OF THE ATTORNEY GENERAL – State of New Hampshire

August 2006 to
present

Senior Assistant Attorney General – Trial of homicide, drug trafficking, complex white-collar, and public integrity criminal matters throughout the State. Responsible for the direction of each case from crime-scene investigation through post-appellate actions, including multiple briefs and arguments before the NH Supreme Court, and federal habeas corpus actions.

Current Assignment
since 2016

Chief - Criminal Justice Bureau's Drug Unit – Supervise local and multi-state drug trafficking and overdose death prosecutions. Collaboration with all drug enforcement agencies operating in New Hampshire (DEA, NHSP's Major Crime & Narcotics units, TDS, NH Drug Task Force, NH DOC, and county/local enforcement teams); building cases together from initial search warrants through trial.

- Co-creator and instructor of NAGTRI's current mobile Overdose Death Prosecutions and Investigations course. Organizer and instructor of state-side trainings for officers/prosecutors on drug prosecutions and overdose deaths.

Past Assignments
within the office

New Hampshire Cold Case Unit's Prosecutor (3 years), Instructor for NH's Police Standards and Training Academy (6 years), Public Integrity prosecutions (8 years), Homicide prosecutions (13 years to present).

HILLSBOROUGH COUNTY ATTORNEY'S OFFICE – Manchester, New Hampshire

July 2004 to
August 2006

Assistant County Attorney – Prosecuted felonies and misdemeanors before both the Superior and District Courts, with +100 caseload at any given time.

OFFICE OF THE DISTRICT ATTORNEY / MIDDLE DISTRICT – Worcester, Massachusetts

January 2004 to
July 2004

Assistant District Attorney – Assigned to the Central District Court in Worcester. Daily in-court experience prosecuting on the District Court level.

HILLSBOROUGH COUNTY ATTORNEY'S OFFICE – Manchester, New Hampshire

November 2002 to
January 2004

Intern Supervisor – Principal researcher and writer for the largest county prosecutor's office in New Hampshire, while supervising all law clerks and interns.

EDUCATION

UNIVERSITY OF DAYTON SCHOOL OF LAW – Dayton, Ohio – Juris Doctor – May 2002
Presidential Scholarship Recipient

UNIVERSITY OF DAYTON – Dayton, Ohio – Dual degrees – December 1998

Bachelor of Science in Biology and Bachelor of Arts in Criminal Justice Studies

University Honors Program Graduate - Honors Independent Research Thesis:

"A Descriptive Study of DNA Databanks and Moratoriums in the United States Criminal Justice System"