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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

December 3, 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 hereby is given to the Attorney General to appoint Benjamin W. Maki, Position # 9U537 (Appropriation # 02-20-20-201510-5065-013-500132), as an Assistant Attorney General, at a salary level of \$73,000, effective upon Governor and Executive Council approval or December 20, 2019, whichever is later.

EXPLANATION

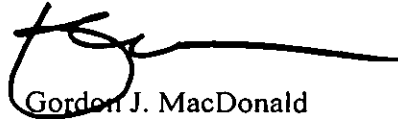
Mr. Maki is a resident of Peterborough, and a member of the New Hampshire Bar. He received his law degree, *cum laude*, from Suffolk University Law School in 2010, and his Bachelor of Arts, *magna cum laude*, from Franklin Pierce College in 2006. He was the prosecuting attorney for the Wilton Police Department from March 2011 through May 2015, and was a regional prosecutor for the Cheshire County Attorney's Office from May 2015 through October 2018. He joined the Department of Justice as the Traffic Safety Resource Prosecutor in the Criminal Bureau on October 15, 2018. In view of Mr. Maki's experience, I am requesting he be appointed as an Assistant Attorney General. In light of this designation, his salary will increase by \$3,000, from \$70,000 to \$73,000. Because this position is based on an annual grant, the term for the position is at the will of the Attorney General. I plan to continue his assignment as the Traffic Safety Resource Prosecutor in the Criminal Bureau. A copy of his resume is attached.

2001 Laws of NH Chapter 158 amended RSA 94:1-a(I)(c)(3) to provide 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. Maki's appointment as an Assistant Attorney General at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gordon J. MacDonald', with a long horizontal flourish extending to the right.

Gordon J. MacDonald
Attorney General

#2576725

BENJAMIN W. MAKI

EDUCATION

Suffolk University Law School, Boston, MA

Juris Doctor, *cum laude*, May 2010

Class Rank: Top 27% (94/349)

Honors: Suffolk Transnational Law Review, Staff Member 2008-2009, Editor 2009-2010

Dean's List (2007-2008, 2008-2009, 2009-2010)

Phi Delta Phi International Legal Fraternity, member

SPILG Grant Recipient (summer 2008)

Franklin Pierce College, Rindge, NH

Bachelor of Arts, *magna cum laude*, May, 2006

Major: Criminal Justice, Minor: Political Science

GPA 3.71

Honors: Alpha Chi National Honor Society, Spring 2005

LEGAL EXPERIENCE

New Hampshire Attorney General's Office, Concord, NH

October 2018- Present

Traffic Safety Resource Prosecutor

- Prepare and present training programs pertaining to traffic safety to prosecutors and police.
- Direct prosecutors and law enforcement officers to legal authority pertaining to current issues of traffic safety.
- Draft appellate pleadings pertaining to traffic safety.
- Issue regular legal updates regarding developments in the law pertinent to traffic safety.

Cheshire County Attorney's Office, Keene, NH

May 2015- October 2018

Regional Prosecutor

- Oversee and present all prosecutions of cases properly presented in the Circuit Court by nine local Law Enforcement Agencies in Cheshire County who are members of the Cheshire County Attorney's Regional Prosecutor Program.
- Provide legal advice to Law Enforcement Agencies regarding investigation and charging of cases.
- Try misdemeanor and violation cases.
- Provide training to Police department personnel and staff.
- Respond to defense motions and draft pretrial motions.

Town of Wilton Police Department, Wilton, NH

March 2011- May 2015

Prosecuting Attorney

- Prepare, present, and prosecute all cases properly presented in the Circuit Court by the Wilton Police Department in criminal, motor vehicle, and juvenile matters.
- Try misdemeanor and violation cases.
- Present necessary evidence at Probable Cause hearings for felony level cases.
- Respond to defense motions and draft pretrial motions.

Town of Wilton Police Department, Wilton, NH

November 2010-March 2011

Legal Intern

- Review cases and recommend appropriate sentences for plea bargaining.
- Research statutory and case law.
- Develop trial strategies.

Hillsborough County Attorney's Office, Nashua, NH

October 2009- May 2010

Legal Intern Southern District of Hillsborough County Attorney's Office

- Research and draft motions in limine for felony and misdemeanor cases.
- Research statutory and case law pertaining to felony and misdemeanor crimes.
- Drafted memoranda supporting recommendation of Sexually Violent Predator status.