

67 la

**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 18, 2018

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 # 02-20-20-5065-013-500132 as an Attorney, at a salary level of \$68,000, effective upon Governor and Executive Council approval or October 15, 2018, whichever is the latter.

EXPLANATION

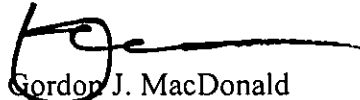
Mr. Maki is a resident of Peterborough, and a member of the New Hampshire Bar. He received his law degree from Suffolk University Law School, Boston, Massachusetts in 2010, and his Bachelor of Arts in Criminal Justice and Political Science from Franklin Pierce College in 2006. Mr. Maki interned at the Department of Justice in the summer of 2008. He went on to become the prosecuting attorney for the Town of Wilton Police Department from March 2011 through May 2015, and has been a regional prosecutor for the Cheshire County Attorney's Office from May 2015 to the present. In view of Mr. Maki's experience, I am requesting he be appointed as an Attorney at a salary of \$68,000. He will be the Traffic Safety Resource Prosecutor and assigned to the Criminal Justice 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.

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
September 18, 2018
Page 2 of 2

I am very pleased to offer Mr. Maki's appointment as an Attorney 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

#2145341

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

SPLG 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

Cheshire County Attorney's Office, Keene, NH

May 2015- Present

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.

New Hampshire Attorney General's Office, Concord, NH

June 2008- September 2008

Legal Intern Criminal Bureau, Homicide Division

- Researched and drafted memoranda on statutory and case law pertaining to a complex homicide case.
- Drafted motions in limine for suppression of evidence at trial.
- Drafted requests under the Uniform Act to Secure Witnesses from Without a State in Criminal Proceedings.
- Gathered information from discovery binders for use at trial.