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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

November 24, 2015

The Honorable Neal M. Kurk, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

1. Authorize the Department of Justice to accept and expend a grant in the amount of \$60,000 from the United States Drug Enforcement Agency, Manchester District Office to be utilized to hire a Drug Prosecutor effective upon Governor and Executive Council approval through June 30, 2017. 100% Federal Funds.
2. Pursuant to RSA 124:15, authorize the Department of Justice to establish one full time salaried Drug Prosecutor within budget class 059 (Full Time Temporary) effective upon Fiscal Committee and Governor and Executive Council approval through June 30, 2017. 59% Agency Income; 41% Federal Funds.

Funds are to be budgeted in account #02-20-20-200510-2610 Activity #20DEAFY1617A, Department of Justice, Division of Public Protection, Criminal Justice Bureau, as follows:

<u>Class/Expense</u>	<u>Class Title</u>	<u>Current SFY16 Budget</u>	<u>Increase Amount</u>	<u>Revised SFY16 Budget</u>
010-500100	Personal Services Perm. Class.	\$246,018	\$0	\$246,018
013-500132	Personal Services Unclassified	\$1,390,431	\$0	\$1,390,431
014-500134	Personal Services-Unclassified	\$221,800	\$0	\$221,800
018-500106	Overtime	\$1,000	\$0	\$1,000
020-500200	Current Expense	\$35,157	\$0	\$35,157
022-500255	Rents Leases Other Than State	\$500	\$0	\$500
024-500225	Maint Other Than Build-Grnds.	\$2,400	\$0	\$2,400
027-582703	Transfers to DoIT	\$70,839	\$0	\$70,839

030-500311	Equipment	\$2,000	\$0	\$2,000
037-500173	PC Desktop Hardware New	\$1,000	\$0	\$1,000
038-500175	Desktop Software New	\$1,100	\$0	\$1,100
039-500188	Telecommunications	\$21,700	\$0	\$21,700
040-500800	Indirect Costs	\$5,400	\$0	\$5,400
041-500801	Audit Fund Set-Aside	\$60	\$0	\$60
042-500620	Additional Fringe Benefits	\$6,300	\$0	\$6,300
059-500117	Temp-Full Time	\$36,923	\$60,000	\$96,923
060-500612	Benefits	\$833,021	\$0	\$833,021
066-501709	Employee Training	\$1,500	\$0	\$1,500
070-500704	In State Travel	\$39,900	\$0	\$39,900
Total		\$2,917,049	\$60,000	\$2,977,049

Source of Funds

000-403260	Federal Funds	\$60,000
001-405936	Transfer from other agencies	\$56,918
002-406070	Transfers from Department of Transportation	\$34,725
009-402325	Agency Income	\$297,942
	General Fund	\$2,527,464
Total		\$2,977,049

EXPLANATION

The Department of Justice has been offered a grant from the United States Drug Enforcement Agency, Manchester District Office for the purpose of providing salary only funds towards hiring a Drug Prosecutor who will work with the DEA's New Hampshire Heroin Initiative Strike Force to combat the current opiate epidemic in New Hampshire. The prosecutor will provide legal assistance to the Strike Force on investigative matters and will prosecute the resulting criminal cases. The \$60,000 grant funds will be combined with federal forfeiture funds in the amount of \$79,807 to cover the position and related expenses.

The following information is provided in accordance with the Comptroller's instructional Memorandum dated September 21, 1981.

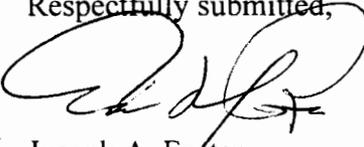
1. **List of personnel involved:** One salaried full time Attorney (Class 059) to serve as a Drug Prosecutor.
2. **Nature, Need and Duration:** This full time position will be in effect for the period effective upon Fiscal Committee and Governor and Executive Council approval through June 30, 2017.
3. **Relationship to existing agency programs:** This funding is to be utilized specifically to establish a Drug Attorney for the sole purpose of prosecuting illegal drug crimes.

4. **Has a similar program been requested of the legislature and denied?** No similar program has been requested and denied.
5. **Why wasn't funding included in the agency's budget request?** This project was introduced to the Department of Justice very recently and was not expected when the budget was formed.
6. **Can portions of the funds be utilized for other purposes?** No portion of these grant funds can be used for any other purpose.
7. **Estimate the funds required to continue this position(s):** It is estimated that it will cost \$139,807 for one full time position with benefits through June 30, 2017. \$60,000, granted by the DEA, will be used towards salary only. Federal forfeiture funds will be used to cover the remaining \$79,807 for salary, benefits and expenses related to this position through June 30, 2017.

In the event that agency income and federal funds are no longer available, general funds will not be requested to support this position.

Please let me know if you have any questions concerning this request. Your consideration is greatly appreciated.

Respectfully submitted,



for Joseph A. Foster
Attorney General

JAF/jsh
Enc.

#1309560



U. S. Department of Justice
Drug Enforcement Administration
Manchester District Office
324 South River Road
Bedford, New Hampshire 03110

www.dea.gov

November 23, 2015

The Honorable Joseph A. Foster
New Hampshire Attorney General
33 Capital Street
Concord, New Hampshire 03301
Attn: Ms. Kathleen Carr

General Foster:

As previously discussed between you and I, the U.S. Drug Enforcement Administration (DEA), Manchester District Office has received funding, in the amount of \$60,000.00, to partially pay for the salary of a Prosecutor from the Office of the Attorney General. These funds have been provided by the Executive Office of the New England High Intensity Drug Trafficking Area (HIDTA), as approved by Mr. Jay Fallon, Executive Director of the New England HIDTA. It is the intention of DEA to utilize these monies, as soon as possible, by bringing on board an attorney from the New Hampshire Attorney General's Office and assigning said attorney to DEA's New Hampshire Heroin Initiative Strike Force, based in Bedford, New Hampshire. The subject funds are available immediately and are ready to be used to facilitate this position upon request.

As a matter of clarification, this \$60,000.00 is for salary only and does not cover the expenses of fringe benefits. Moreover, this grant is for a one year period to be renewed on a year to year basis, subject to the availability of funds. Reimbursement to the Attorney General's Office, through HIDTA, will be on a monthly basis pursuant to proof of a portion of the salary expended by the Attorney General's Office and certified by DEA.

Should you have any questions regarding this agreement or the reimbursement of same and/or require additional details, please don't hesitate to contact me immediately at (603) 628-7411 x 146.

Sincerely,

A handwritten signature in cursive script that reads "Jon C. DeLena".

Jon C. DeLena
Assistant Special Agent in Charge

Department of Justice
GRANTS FISCAL SITUATION FISCAL YEAR 2016
02-20-20-200510-2610; Criminal Bureau Drug Prosecutor

Total Agency Authorization	\$ 60,000
Less Expenditures to 06/30/2015	\$ -
Remaining Authorizatin to Budget	\$ 60,000

Less Current Budget Authorization	\$ -
Total Available for Budgeting	\$ 60,000

Available to Budget at Later Date	\$ -
REQUESTED ACTION	\$ 60,000

Grant Award Number	Award Amount	Expenses to 06/30/2015	Balance
Letter Dated 11/23/2015 DEA, Manchester	\$ 60,000	\$ -	\$ 60,000
Prior Year Grant Award	\$ -	\$ -	\$ -
Total			\$ 60,000