

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA  
ATTORNEY GENERAL



JANE E. YOUNG  
DEPUTY ATTORNEY GENERAL

January 11, 2022

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 Bethany Jean Durand to Position #9U057 (Appropriation #02-20-20-200510-26100000-013-500132) as an Assistant Attorney General at a salary level of \$98,000, effective upon Governor and Executive Council approval or January 28, 2022, whichever is later, for a term ending September 6, 2026.

**EXPLANATION**

Ms. Durand, a resident of Hollis, graduated in 1997 from Clark University in Worcester, Massachusetts, with a Bachelor of Arts degree in Government and minors in Spanish and Ethics and Public Policy. She earned her Juris Doctor in 2000 from American University, Washington College of Law, in Washington, D.C. While in law school, she worked as an Intake Counselor at the Emergency Domestic Relations Project in Washington, D.C., and interned at the Montgomery County State's Attorney's Office in Rockville, Maryland. Ms. Durand was an Assistant State's Attorney in the Office of the State's Attorney for Baltimore City from 2002 to 2021 serving in a variety of assignments--including 10 years in the Homicide Division. During her last two years there, she was Supervisor of the Felony Trial Division where she led 13 attorneys prosecuting more than 900 pending cases. She joined the Department in July 2021 and has been assigned to the Criminal Justice Bureau. I am requesting that Ms. Durand receive a \$3,000 salary increase from \$95,000 to \$98,000. I plan to continue her assignment in the Criminal Justice Bureau. A copy of her resume is attached.

RSA 94:1-a(1)(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 Ms. Durand'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 "John M. Formella". The signature is fluid and cursive, with the first name "John" and last name "Formella" clearly legible.

John M. Formella  
Attorney General

#3208275

## Bethany Jean Durand

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### **PROFESSIONAL CREDENTIALS:**

Admitted to practice law in:

Maryland (6/2001), Massachusetts (6/2001), New Hampshire (4/2021)

### **EMPLOYMENT HISTORY:**

*NEW HAMPSHIRE DEPARTMENT OF JUSTICE*

Attorney, Criminal Bureau

July 2021 to present.

- Responsible for the investigation and prosecution of homicide cases.
- Respond to active homicide investigation “call outs” as needed.
- Handle appellate and collateral matters as assigned.

*OFFICE OF THE STATE’S ATTORNEY FOR BALTIMORE CITY*

Assistant State’s Attorney

January 2002 to July 2021

Supervisor, Felony Trial Division (April 2019 to July 2021)

- Monitored a unit of 13 attorneys with over 900 pending cases.
- Conducted initial assessment of all incoming cases for felony level charges.
- Developed and presented trainings on law, evidentiary issues and trial skills.
- Worked with police on complex, pattern case investigations.
- Maintained a homicide trial caseload and post-conviction docket.

Homicide Division (10 years)

- Prosecuted cases involving murder and vehicular manslaughter.
- Directed the investigation of homicide cases in a vertical prosecution model.
- Investigated shootings and fatalities involving police use of force.

F.I.V.E. (Firearms Investigation and Enforcement) Unit (2.5 years)

- Handled cases involving firearms and non-fatal shootings.
- Worked with the Maryland EXILE program to facilitate federal prosecution of violent, career criminals.

Felony Trial Division (3 years)

- Determined plea offers and trial strategy in cases involving serious physical injuries.
- Handled violations of probation and collateral matters including bail reviews.

Narcotics Unit (6 months)

- Responsible for over 200 active felony level drug cases.
- Worked closely with police in the organized crime unit.
- Prosecuted crimes involving narcotics offenses and related weapons charges.

Misdemeanor Trial Division (6 months)

- Received and prepared instant jury trial prayers.
- Attended case conferencing sessions with judges and defense attorneys.

Juvenile Courts Division (1.5 years)

- Responsible for vertical prosecution of youth classified as violent offenders.
- Participated as a member of the S.A.V.E. (Stopping Adolescence Violence Early) unit, part of the Operation Safe Neighborhoods Program.

*United States Social Security Administration*

Law Clerk

January 2001 to December 2001

- Responded to pleadings from petitioners with claims for social security benefits.
- Worked closely with assistant U.S. attorneys to meet court-imposed deadlines.

*The Affiliates, Legal Staffing, Washington, DC*

Temporary Legal Staff

July 2000 to January 2001

- Assisted large law firms in the D.C. metro area with preparation for trial and deposition.

*The Law Offices of Frederick J Brynn, P.C., Washington, DC*

Law Clerk

November 1999 to April 2000

- Prepared legal memoranda, court filings and client letters.
- Developed cases involving child sexual assault, personal injury and products liability.

*Montgomery County State's Attorney's Office, Rockville, MD*

Legal Intern – Screening Unit and Community Prosecution Program

July 1998 to August 1999

- Assisted with trial and court docket preparation.
- Researched and wrote memoranda of law.

***CONTINUING LEGAL EDUCATION:***

April 2021: National Cyber Crime Conference

March 2021: MDAA Digital Evidence for Prosecutors

December 2020: Mercy Hospital - Strangulation and Alternative Light Sources

September 2020: Daubert Motions Training (From Frye-Reed to Daubert)

August 2020: ATF CGI and NIBIN use in investigations

December 2015: NDAA Forensic Evidence

April 2015: MDAA Evidence for Prosecutors

September 2014: ATF Arson for Prosecutors

January 2012: Evidence Boot Camp

May 2011: NDAA Evidence for Prosecutors

***EDUCATION:***

American University, Washington College of Law, Washington, DC

Juris Doctor (5/2000)

Clark University, Worcester, MA

BA Government, Minors in Spanish and Ethics & Public Policy (5/1997)