

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

FIS 14 057 ²⁵ *Paul*

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL

ANN M. RICE
DEPUTY ATTORNEY GENERAL



April 8, 2014

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

Patton 7/25/14
Approved by Fiscal Committee Date

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

REQUESTED ACTION

1. Pursuant to RSA 124:15, authorize the Department of Justice to create one new full-time temporary Attorney II, Labor Grade 28, within class 059 (Full-Time Temporary) for the purpose of statewide investigations and prosecutions of drug related activities effective upon the approvals of the Fiscal Committee and the Governor and Council through June 30, 2015. 100% Federal Forfeitures.
2. Pursuant to RSA 14:30-a VI, authorize the Department of Justice to accept and expend \$119,820 of Federal Forfeitures for the purpose of supporting the full time Attorney II position responsible for the statewide investigations and prosecutions of drug related activities to be effective with the approvals of the Fiscal Committee and Governor and Council through June 30, 2015. 100% Federal Forfeitures.

These funds are to be budgeted in account #02-20-20-2005-2904 Department of Justice, Public Protection, Drug Task Force as follows:

Drug Task Force		FY 2014			FY 2015		
Class	Description	Current Budget	Requested Action	New Budget	Current Budget	Requested Action	New Budget
010-500100	Personal Svcs. Class	\$65,114	\$0	\$65,114	\$74,097	\$0	\$74,097
013-500132	Personal Services -Unclassif	\$74,296	\$0	\$74,296	\$78,988	\$0	\$78,988
014-500134	Personal Svcs. Unclassif	\$139,400	\$0	\$139,400	\$137,385	\$0	\$137,385
018-500106	Overtime	\$5,000	\$0	\$5,000	\$10,000	\$0	\$10,000
020-500200	Current Expense	\$12,850	\$200	\$13,050	\$9,950	\$500	\$10,450
022-500224	Rents-Leases other than Sta	\$1,000	\$0	\$1,000	\$1,000	\$0	\$1,000
027-500800	Transfer to DOIT	\$28,424	\$0	\$28,424	\$25,627	\$0	\$25,627
028-500292	Trans. to General Svcs.ces	\$33,482	\$0	\$33,482	\$34,583	\$0	\$34,583
039-500190	Telecommunications	\$14,400	\$120	\$14,520	\$14,400	\$1,200	\$15,600
040-500800	Indirect Costs	\$50,605	\$0	\$50,605	\$51,779	\$0	\$51,779
041-500801	Audit Fund Set Aside	\$683	\$0	\$683	\$699	\$0	\$699
042-500620	Additional Fringe Benefits	\$29,868	\$0	\$29,868	\$30,499	\$0	\$30,499
059-500109	Full time Temporary Pers.	\$0	\$10,000	\$10,000	\$0	\$65,000	\$65,000
060-500601	Benefits	\$140,861	\$4,800	\$145,661	\$148,953	\$31,500	\$180,453
070-500704	In-State Travel	\$0	\$500	\$500	\$0	\$2,000	\$2,000
080-500714	Out of State Travel	\$0	\$0	\$0	\$0	\$4,000	\$4,000
	Total	\$595,983	\$15,620	\$611,603	\$617,960	\$104,200	\$722,160
Revenue							
404813	Drug Task Force	\$595,983	\$0	\$595,983	\$617,960	\$0	\$617,960
404896	Federal Forfeitures	\$0	\$15,620	\$15,620	\$0	\$104,200	\$104,200
	Total	\$595,983	\$15,620	\$611,603	\$617,960	\$104,200	\$722,160

EXPLANATION

The approval of this request will allow the Department of Justice to hire an Attorney II for the Criminal Bureau's Drug Task Force, Drug Prosecution Unit. The Department currently has only one drug prosecutor who, in addition to his prosecutorial responsibilities, is an active member of the Governor's Prescription Drug Task Force, the Therapeutic Marijuana Advisory Council, and the Prescription Monitoring Program Advisory Council.

Illegal drug use and drug related deaths are increasing throughout the State. In particular, the State is now experiencing unprecedented levels of heroin abuse, heroin-related crimes and heroin overdoses. As a result, the Drug Prosecution Unit is experiencing an increase in the number of investigations and prosecution referrals. It is not possible for one attorney to manage the increasing caseload. The funding for this position are funds collected on behalf of the Department's participation in federal forfeitures. The current balance in the Federal Forfeiture account is \$891,202.

The funds will be used to hire an Attorney (class 059), current expense (class 020), telecommunications (class 039), benefits related to the position (class 060) and in-state (class 070) and out of state travel (class 080).

General Funds will not be utilized should the Federal Funds become unavailable.

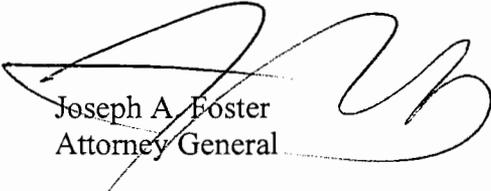
The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981.

1. List of personnel involved: Full time temporary Attorney II, Labor Grade 28.
2. Nature, Need, Duration: The position is needed to investigate and prosecute drug related cases.
3. Relationship to existing agency programs: The DOJ currently has a Drug Task Force consisting of one attorney position, one clerical support position, and two investigators.
4. Has a similar program been requested of the legislature and denied? No
5. Why wasn't funding included in the agency's budget request? Drug cases have increased considerably since the budget was negotiated.
6. Can portions of the grant funds be utilized? No. The forfeitures may only be used for the Drug Task Force.
7. Estimate the funds required to continue this position. The funds to continue this position are approximately \$106,595 salary and benefits plus miscellaneous expenses for each year.

Please let me know if you have any questions concerning this request.

Your consideration is greatly appreciated.

Respectfully submitted,


Joseph A. Foster
Attorney General

JAF/k
#1026070

Faretra, Rosemary

From: Elberfeld, Jennifer [Jennifer.Elberfeld@NH.Gov]
Sent: Monday, April 07, 2014 10:48 AM
To: Faretra, Rosemary
Subject: RE: SJD - Attorney - Drug Prosecutor

Dear Ms. Faretra:

This is to notify you that the Division of Personnel conditionally approves of work unit request 136534 to establish a full-time temporary Attorney II, labor grade 28 position, position #9T2717. This approval will be pending Fiscal Committee approval and the sign-off of the Business Office on the PPF you submitted.

Jennifer Elberfeld
Classification & Compensation Administrator
NH Division of Personnel
*28 School St.**
(603) 271-1430
jennifer.elberfeld@nh.gov

* Effective July 1, 2013 the Division of Personnel's address has changed to:

Division of Personnel
28 School Street
Concord, NH 03301

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