

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Highway

North Haverhill, NH 03774

November 21, 2017

PRESENT: Commissioners Lauer, Ahern and Piper, County Administrator Libby, Admin. Asst. Norcross.

OTHERS PRESENT: Human Services Administrator Nancy Bishop, Alternative Sentencing Director Bill Gilding

Human Services Administrator Bishop arrived and gave the attached report:

November 21, 2017

HUMAN SERVICES MONTHLY REPORT

1.) LTC Expenses to date:

- Payment by Towns Report
- CAP report
- Recoveries

2.) Legislation:

3.) Other:

- Social Services Applications sent out 11/16/17

HSA Bishop stated that through September with the 1/12 payment on the cap they have paid less than they would have paid for actual claims. They have saved \$3,837.00. Commissioner Piper asked for a history of the cap payments. Commissioner Lauer explained that up until last year the county reimbursed the state for the actual claims. Last year the state wanted Grafton County to start paying 1/12 of their cap each month and if they did not pay it that way the state would withhold Nursing Home reimbursements. HSA Bishop stated that some years this method costs them more money than it would if they paid for the claims but this year it has saved them money by paying the 1/12 each month.

HSA Bishop stated that they held a blood drive and it was not as successful as prior blood drives that the county has had. She noted that there were many people who were deferred and unable to donate blood.

She also noted that there is a six (6) week Wellness Challenge currently going on. There were seventy four (74) people who signed up and had forty five (45) people who actually reported last week.

HSA Bishop and the Commissioners had a follow up discussion regarding Medicaid Managed Care. Commissioner Ahern asked how the State of Vermont is handling the managed care issues. HSA Bishop stated that Vermont handles long term care very differently than New Hampshire does. They have an 1115 waiver and they use it for a Pace Program. They have fewer people go into nursing homes and they have more community services. Commissioner Ahern asked how that system is working out. HSA Bishop stated that she believes it is working out well but does not have the statistics. HSA Bishop went on to answer various questions from the Commissioners.

Alternative Sentencing Director Gilding arrived to seek approval for out of state travel. He stated the New England Drug Court Association Conference is next week on November 29<sup>th</sup> and 30<sup>th</sup> in Marlboro Massachusetts. He is looking to send his Probation Officer, Drug Court Coordinator and Therapist to this conference. He noted that he has received a scholarship to pay for the three (3) conference registrations and he would be paying for the hotel room, meals and mileage which will be reimbursed by the state therefore there will be no cost to the county.

Commissioner Piper stated that she believes this sounds like there will be a lot of information at this conference that the Alternative Sentencing staff should have access too. Commissioner Ahern stated that he feels there is more efficient and cheaper way to do this. He expressed concerns about three (3) employees attending this conference and stated that he feels that they can send one (1) employee and they can bring back information to share. ASD Gilding stated that he is sending three (3) people from three (3) different aspects of Drug Court who will all be gaining knowledge in their fields. He stated that the hotel room is \$159 per room per night, meals \$50 per person per day and is estimating roughly \$200-\$300 in mileage making the total cost roughly \$1,500.

Commissioner Piper moved to approve out of state travel for three (3) employees to attend the New England Drug Court Association Conference in Marlboro, Massachusetts on November 29<sup>th</sup> – 30<sup>th</sup>. Commissioner Ahern seconded the motion for discussion purposes.

The Commissioners voted on the motion. Commissioners Lauer and Piper were in favor. Commissioner Ahern was in opposition. With the vote being two (2) in favor and one (1) in opposition the motion passes.

Commissioner Lauer asked if everyone had a chance to read the minutes from the November 14<sup>th</sup> meeting. Commissioner Ahern and Commissioner Piper had a few edits.

Commissioner Piper moved to approve the minutes from the November 14<sup>th</sup> meeting as amended. Commissioner Ahern seconded the motion and all were in favor.

The Commissioners signed check registers 26-27; 1071-1076.

FY2019 Worker's Comp & Property Liability NTE Rates – CA Libby stated that the Not to exceed rate for the county's Property Liability insurance is a 5.6% decrease or \$10,111. The Workers Comp has a 6.0% increase or a total of \$14,637.00.

The Commissioners discussed the dedication of the FY2017 Annual Report and agreed to hold the dedication at their December 4<sup>th</sup> meeting at 9:00.

CA Libby handed out a letter to the Commissioners from the Nursing Home with their Secret Santa names for this year.

CA Libby stated that she is sending a letter to every bank and credit union that has a branch in Grafton County to invite them to bid on the investment of the county tax money.

CA Libby handed out the following County Attorney's regular report as she is unable to attend:

## **Office of the Grafton County Attorney**

**Lara Saffo, County Attorney**

**November 21st, 2017**

### **Report to the Commissioners**

The Mission of the Office of the Grafton County Attorney is to pursue justice and promote the safety and security of the County's citizens, thereby enhancing the quality of life in Grafton County. We will seek to achieve these goals by:

- Striving for just disposition of criminal cases through timely, efficient and effective prosecution.
- Ensuring that victims and witnesses of crimes are treated with respect, courtesy, and sensitivity as they cooperate with criminal prosecutions.
- Improving the criminal justice system by identifying areas of need and working collaboratively with other criminal justice agencies and the community to improve the criminal justice system.
- Encouraging and promoting crime prevention and early intervention initiatives.
- Identifying, promoting and implementing new and innovative approaches to solving crime problems.

***Justice must always question itself, just as society can exist only by means of the work it does on itself and on its institutions.***

**Michel Foucault (1926-84), French philosopher. "Vous Êtes Dangereux," in Libération (Paris, 30 June 1983; repr. in Didier Eribon, Michel Foucault, 1989; tr. 1991).**

#### **(1) STATISTICS**

**Caseload at the Office of the Grafton County Attorney.**

*The dramatic increase in referrals to the Office of the Grafton County Attorney from law enforcement agencies continues.*

Calendar year 2016 figures :

As reported previously, the Office of the Grafton County Attorney (OGCA) experienced an increase of over 120 referrals from calendar year 2015 to calendar year 2016. This was not only sustained, we have additional increases this year. In calendar year 2015 we had 750 referrals, in calendar year 2016 we had 894 referrals.

2017 figures show that last year's increase is not only sustained, but continues to increase dramatically

From January 1, 2015 to November 20, 2015, the OGCA received 658 referrals.  
From January 1, 2016 to November 20th, 2016, the OGCA received 775 referrals.  
From January 1, 2017 to November 20<sup>th</sup>, 2017, the OGCA received 831 referrals.

**This is an increase of 56 cases since January 1, 2017.**

**Number of cases with victims:**

The number of referrals in 2017 with victims are 418.

**Update on Felony First:**

We have had a total of 204 felony first cases since April 1, 2017, in 96 of the charges, the individual was released on bail. In 108 of the cases, the individuals were incarcerated on bail conditions.

To date we have been able to work through the prosecutor's obligation to get complaints filed.

We are relieved that we have hired the new prosecutor to work on many of the new arrests. I greatly appreciate the other prosecutors covering when felony first began earlier than anticipated in Grafton County (and before the new prosecutor was hired).

One anticipated issue was the dramatic increase on the workload of our support staff, who now have to send out discovery (the investigation) on multiple occasions, as the case develops. The additional caseload plus the expedited time framework, combined with the need to send out discovery in pieces has been difficult in the hours in the proverbial day. We thank our support staff as they work through this process. We are hoping to see an increase in the number of cases resolved earlier, which hopefully will even out this current increase in workload.

**(2) CRIMINAL JUSTICE REFORM**

I would like to bring multiple criminal justice reform efforts to your attention.

**(A) Felony First**

This is discussed above, so I will not go into more detail here, but it has involved substantial effort as the OGCA assumes responsibility of cases much earlier in the process.

**(B) Early Case Resolution**

This is interrelated with Felony First. Now that we obtain cases much earlier in the process, we are taking advantage of no cost (to Grafton) expertise on Early Case Resolution. This expertise is being provided by the Administrative Office of the Courts (David Bennett, a national expert on reform). We have restructured positions in our office to accommodate this new approach. In addition, we continue to meet with the court to develop the framework for Early Case Resolution. The new prosecutor works closely with our most experienced prosecutor, who is handling the actual ECR plea negotiations. We hope to expand this program, but, due to workload, can't simply start it in one fell swoop.

**(C) Bail Reform**

Below please find the link to the following publications from the Pretrial Justice Institute, which have been distributed by the courts:

“Where Pretrial Improvements are Happening” June 2017

<https://university.pretrial.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=80fd2d2a-2a37-b7d1-9185-33eeead0d2ba&forceDialog=0>

“Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option” October 2013

<http://www.pretrial.org/download/research/Unsecured%20Bonds,%20The%20As%20Effective%20and%20Most%20Efficient%20Pretrial%20Release%20Option%20-%20Jones%202013.pdf>

I agree that bail reform is a good idea, but I also believe that we are trying to emulate states that have pretrial services in place to ensure public safety. We are beyond fortunate that Grafton County has started a pretrial services program. However, we must remember that state initiatives (bail reform) must consider the impact on county programs, and what the county can fund.

**(D) Sex Crimes Unit / Computer Forensics/Digital Evidence**

We continue to work hard to on developing a sex crimes unit, and preparing for the new position. We have received a number of resumes and look forward to the upcoming interviews. This position is anticipated to be up and running by January 1, 2018. It is much needed.

**(E) ALTERNATIVE SENTENCING**

**Drug Court**

The OGCA continue to be active participants in Drug Court. In order to receive funds, the drug treatment courts in New Hampshire will need to be in compliance with the

NADCP Best Practice Guidelines, so it is important that all interested individuals understand the requirements. They are available on line at <http://www.nadcp.org/Standards> . Webinars are also available on the best practices at the same website. I am providing you with information regarding best practices for medicated assisted treatment, as just an example of additional information readily available.

We have bi-weekly team meetings, and open court session every other Monday. We also meet with the team to write our policies and procedures. In addition, drug court requests that our prosecutor attend trainings.

We enjoy participating in this initiative, and would simply note it is time consuming for the prosecutor.

Other drug initiatives: Haverhill Area Substance Abuse Coalition (Cottage Hospital)

**Justice Involved Veterans Task Force**

This group meets monthly. Last year I testified in support of enabling legislation. This task force is conducting viewings of “Justice for All” a video about the vital work being conducted in Veterans Courts in NH. It is followed by a panel. We are in the process of scheduling showings in Grafton County in the spring.

**Mental Health Court - misdemeanor level**

We have been able to attend these meetings in Littleton and Lebanon regularly. We look forward to attending more regularly in the Plymouth area.

**Mental Health Court – felony level**

Prosecutor Kovalenko has been working hard to expand this to the felony level. Court time appears to be a barrier. Once there is court time, we are ready to start a felony level mental health court. This is a vital initiative, so we hope there will be court time soon.

**Adult Diversion**

We work with the adult diversion as well, and thank the amazing efforts exhibited by this program.

**FIRMM**

We have individuals now sentenced into this program and look forward to working with this vital sentencing alternative as well.

**Restorative Justice/Juvenile Diversion**

We remain supportive of Restorative Justice for juvenile offenders and encourage everyone to learn as much as possible about these initiatives.

**(F) COMMUNITY PARTNERSHIP**

*The Office of the Grafton County Attorney supports the building of strong partnerships and collaborations with law enforcement, all members of the criminal justice system, and the communities we serve. These partnerships are vital to improve public safety.*

**Attorney General Office:**

The Attorney General's Office Partners Against Violence conference is this month. We are presenting and attending.

Attorney General – County Attorney meetings

AG Child Abuse and Neglect Conference Committee

AG Protocol drafting: Adult Sexual Assaults, Human Trafficking

**Grafton and Sullivan County CAC at DHMC**

*Like the County Attorney's office, the CAC continues to experience high numbers. It is vital that prosecution is involved in these cases from the inception. Similar to our drug unit, we hope to develop a child abuse unit at our office, although there are far too many of these cases for one prosecutor, so we have three that specialize in these cases (and carry additional caseload). We are hoping to be able to have one of the three be the primary contact for the CAC.*

*The OGCA participates in three types of meetings for the Grafton and Sullivan County CAC at DHMC, case review meetings: Twice a month we have meetings to review all pending cases, and provide a status on past interviews. We have one meeting in Lebanon once a month. We have a meeting in Littleton and Plymouth (alternative locations) once a month. We also participate in Director and Advisory Board meetings. We have meetings six times a year to discuss the program, and often have supplemental meetings to discuss a specific issue, such as sustainability.*

**STATEWIDE SOFTWARE/PBK**

We participate in monthly statewide software meetings to enhance the use and efficiency of our statewide prosecutor's software.

This includes working on the Uniform Charging Table for the State of New Hampshire, and specifically developing elements of offenses for everyone to use in New Hampshire

**NH HUMAN TRAFFICKING COALITION**

We are a member agency with the New Hampshire Human Trafficking Coalition.

**(E) GRAFTON**

a. VAWA Grant

We received this grant, for \$30,000 towards the cost of a prosecutor to handle in part domestic violence and sexual assault cases. The year for the grant is June 30<sup>th</sup>, 2016 – June 30, 2017. The reports have been submitted.

b. VOCA Grant

We received the grant is for \$50,000 towards our Victim Witness Program. It pays for some of the costs of a Victim Witness Coordinator and for a new program, in our case

Circuit Court Prosecution services. We have the official paperwork and are accepting referrals. It has already proven beneficial. The reports have been submitted.

c. Haverhill Area Substance Abuse and Prevention Coalition

This prevention initiative is for the SAU 23 catchment area.

d. Partnership with UNH – Prevention Innovations Research Center Collaboration

We received this grant and are participating in prevention initiatives for commuter college sexual assaults.

e. Sexual Assault Justice Initiative

As noted above, This is a DOJ grant that we will benefit from. The hiring committee hired the full time adult sexual assault investigator, and the grant has begun. The grant manager/prosecution consultant position is going to be advertised.

(E) Areas of needed expertise

- a. Arson
- b. Drugs
- c. Domestic violence
- d. Child sexual assault
- e. Adult sexual assault
- f. Abuse of Elders
- g. Assaults – simple to first degree
- h. Cybercrime
- i. Failure to register as a sex offender
- j. Gang activity
- k. Internet Crimes Against Children
- l. Negligent homicides – assault related
- m. Negligent homicides – DWI related / Driving Under the Influence, Serious bodily injury/drug impairment
- n. Negligent homicide – distracted driving.
- o. White collar crime – bank fraud, business fraud
- p. White collar crime – financial exploitation of family members/the elderly
- q. Computer fraud
- r. Property related offenses (bank checks/fraudulent use of a credit card/willful concealment)
- s. Property related offenses – burglaries and robberies
- t. And more . . .





## **Changedirection.org**

**If you have not been on this website, it is a vital resource.**

**Grafton County can be proud that it has offered mental health court for years. Many defendants have a mental health diagnosis or should be evaluated for health care needs. The OGCA believes it is vital that mental health court is expanded to the felony level.**

### Commissioner Issues:

Commissioner Ahern stated that an employee expressed a concern about the traffic issue out front as it is very difficult to turn into the parking lot. He stated that they need to address that issue as it is a safety concern.

Commissioner Lauer stated that all three (3) Commissioners attended the Family Thanksgiving Day at the nursing home yesterday.

Commissioner Lauer stated that they need to discuss the Housing and Community Development plan revisions. The Commissioners discussed what they felt they should do with the plan and whether or not to bring in the grant writers to help revise the policy. CA Libby suggested setting up a work session with her to review the plan and decide whether there are any questions that they have for CDFA or the grant writers. After further discussion the Commissioners agreed to hold a work session with CA Libby after their meeting on November 28<sup>th</sup>. Once that work session is completed they will have a better understanding of what steps they want to take in revising the policy.

10 AM with no further business the meeting adjourned.

Respectfully Submitted,

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Wendy A. Piper,  
Clerk