

## GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Hwy

North Haverhill, NH 03774

May 12<sup>th</sup> 2015

PRESENT: Commissioners Cryans, Richards and Lauer, Executive Director Julie Libby and Assistant S. Norcross.

OTHERS PRESENT: Gary Goodwin, Deputy Register Beth Wyman, FM Kimball, Atty. Saffo

Commissioner Cryans called the meeting to order at 9:00am and began with the Pledge of Allegiance.

Gary Goodwin arrived to discuss his plans for building a Hydro and Aquatic Therapy Studio stating that he is in the process of bringing awareness to this project. He stated that this is a non-profit, water-based facility designed to serve the medical, fitness and wellness needs of the surrounding communities through rehabilitation and strengthening. He explained that this project will be broken down into three (3) phases each costing roughly \$3 million - \$5 million. He stated that they are working on the application for the 501C3 status so they will be eligible for grants. He stated that the primary direction that the funds will be coming from are grants, foundations, fundraising, federal, state or private funding. He went on to explain the different parts of the project and what the building will have to offer. He then answered various questions from the Commissioners. The Commissioners thanked him for taking the time to come in and inform them of this potential project and wished him the best of luck.

FM Kimball arrived and gave the following report:

- 1) We are currently milking seventy three cows. We are shipping 6266 pounds of milk for an average of 86 pounds of milk. The price of milk is currently \$17.80 per hundredweight.
- 2) We are working on our spring chores and getting ready for spring chopping and haying
- 3) We have planted twelve rows of sweet corn.
- 4) All the potatoes are in, five ton this year.
- 5) All our piglets are sold.
- 6) We are not spreading manure and getting ready to plant our cow corn.
- 7) We have started some plants in the greenhouse and have 1200 started plants at Collin's Green House which we will plant the last week of the month.

Commissioner Cryans asked if everyone had a chance to read the minutes from May 5<sup>th</sup>.

Commissioner Richards moved to approve the minutes from the May 5<sup>th</sup> meeting.

Commissioner Lauer seconded the motion and all were in favor.

Deputy Register of Deeds Beth Wyman arrived and gave the following report:

**Grafton County Registry of Deeds  
Kelley J. Monahan Register  
Report to Commissioners  
May 12, 2015**

**April Revenue**

County Revenue 4/2009	\$ 83,875.74	State Revenue 4/2009	\$ 541,920.96
County Revenue 4/2010	\$ 71,971.93	State Revenue 4/2010	\$ 327,344.64
County Revenue 4/2011	\$ 58,015.46	State Revenue 4/2011	\$ 384,722.88
County Revenue 4/2012	\$ 73,460.01	State Revenue 4/2012	\$ 385,585.92
County Revenue 4/2013	\$ 77,814.70	State Revenue 4/2013	\$ 499,542.72
County Revenue 4/2014	\$ 57,883.71	State Revenue 4/2014	\$ 448,059.84
County Revenue 4/2015	\$ 78,858.98	State Revenue 4/2015	\$ 568,803.84

**Foreclosures**

2009 55 year to date		
2010 80 year to date		
2011 75 year to date		
2012 69 year to date		
2013 56 year to date		
2014 50 year to date		
2015 34 year to date		
		<b><u>Revenue Goal FY/2015</u></b> \$925,000.00
		10 month total - <u>\$691,393.02</u>
		(\$233,606.98)
		<b><u>Surcharge Funds</u></b>
		Bank of New Hampshire \$ 47,621.74
		Ledyard Bank CD .50 <u>\$ 101,189.66</u>
		\$ 148,811.4

1. Deputy Register Beth Wyman will present the April report to Commissioners, as I am attending the Annual Fidler Education Symposium in Davenport, Iowa.
2. On Saturday May 2, 2015, the Registers of Deeds Affiliate addressed the attendees of the Office of Energy and Planning Spring Training at the Grappone Center in Concord. I prepared a power point presentation on the function and value of the registries. A main focus of the day was on planning housing for the reality of our demographics. Planning boards are a key to the success of this effort by being inclusive of accessory housing units and duplex & quadplex housing apartments from older larger homes, as the planning boards update their individual subdivision regulations. I will be sending letters on this subject to the municipalities of Grafton County.

Respectfully submitted,  
Kelley J. Monahan

The Commissioners signed check registers 664; 1176-1179.

ED Libby gave the Commissioners the GCDoc Superior Court Report for the month of April for them to review.

ED Libby submitted a Certificate of Vote for BDAS Funding for the Commissioners to adopt.

Commissioner Richards moved to adopt the Certificate of Vote for BDAS funding. Commissioner Lauer seconded the motion and all were in favor.

Atty. Saffo arrived and gave the following report:

**Office of the Grafton County Attorney  
Lara Saffo, County Attorney  
May 12, 2015**

**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.**

**(1) Law Enforcement Recognition**

Chief Gary Smith of the Lebanon retired effective May 1, 2015. He was honored at a ceremony on May 9, 2015, surrounded by family, friends and law enforcement. His career spanned 28 years. He will be missed, but can rest assured that the City of Lebanon is well served by the members of the Lebanon Police Department, many, if not all, that he has trained and mentored over the years. Congratulations Chief Smith!



**NAMI New Hampshire** is a grassroots non-profit dedicated to improving the lives of people affected by mental illness. The 2015 NAMI NH Annual Conference was held on Saturday, April 11, 2015. At the conference, NAMI-NH recognized Lebanon Police Lt. Matt Isham for his work supporting the development of the Halls of Hope Mental Health Court, which provides treatment to offenders with serious mental illness. He was also recognized for organizing crisis intervention training for members of his department, and other agencies in New Hampshire. Congratulations Lt. Isham!

**(2) Statistics**

**Cases referred to the Office of the Grafton County Attorney:**

January 1, 2010 – May 11, 2010	175 cases
January 1, 2011 – May 11, 2011	268 cases
January 1, 2012 – May 11, 2012	271 cases
January 1, 2013 – May 11, 2013	327 cases
January 1, 2014 – May 11, 2014	288 cases

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When a case is referred to our office, the law enforcement agency generally recommends charges. Of the 269 cases referred to our office so far, the agency recommended at least 402 charges.

I have attached a break down by agency. I have also attached a break down by type of crime. You will see there are more “types of crimes” than referrals. This is different because sometimes a police agency indicates that a single defendant committed more than one “main” type of crimes at the same time.

(3) New Court Initiative –Felonies First

I was surprised to learn that a representative proposed an amendment to the felony first legislation recommending Grafton County, along with Cheshire County, as the first counties to go on line. The minutes of the working committee note that it appears this will not pass, however I thought I would bring this to your attention. I do not think Grafton County should go on line until the logistics are worked out. Unlike the other counties except Coos, Grafton has the added issue that travel to the courthouse is extremely expensive for the law enforcement agencies. Additional issues include the fact that Grafton has many more agencies to coordinate than other counties, and, because the legislation did not have us going on line for a few years, we did not budget for this possibility.

I continue to consider manners to ease us into this initiative, so hopefully we will not need as many additional employees as has been anticipated. I am asking all law enforcement to send us a copy of all felony arrest complaints within 24 hours by e-mail, facsimile or hand deliver, whatever the agency finds easiest. This will assist my office in developing a system to open and assign files on an expedited basis, within 24 hours of receipt.

My biggest fiscal concern is felony first means the Office of the Grafton County Attorney may need 24/7 coverage for all felonies. Currently, we provide such coverage for untimely deaths and sexual assaults only (although we are always available for questions). As we have discussed, the Court is recommending that all felony charges be filed in Superior Court from the onset, and that the County Attorneys be available at arrest. The recommendation presumes that the Office of the Grafton County Attorney will be able to file charges right away, even though the police reports are not completed and we do not yet have a file to review.<sup>1</sup>

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<sup>1</sup> For those reading these minutes without background, under this system, felonies would be filed in superior court, and the county attorney offices would be responsible for these cases at arrest. We would handle the initial bail hearings, which are currently handled by the police departments, and have to be available 24/7 for all felonies, and have paperwork ready for the court on short notice. This will significantly increase our workload.

I also emphasized the need to avoid law enforcement traveling to North Haverhill, leaving their towns uncovered, for preliminary hearings. Howard Zibel testified that those logistics is why Grafton is one of the last counties to have felony first implemented. It appears well recognized that there will need to be the ability and understanding that law enforcement testify remotely for preliminary hearings.

(4) Office Hours in the Community

As noted in the past part of getting ready for felony first, and in an effort to better serve our police departments and communities, I have identified off site space for the Office of the Grafton County Attorney to hold regular hours. With our software, we can access most files with our laptop computers, and the prosecutors can access e-mails via the internet. They have cell phones as well. Accordingly, we think we can do this in a cost effective manner. In Hanover, we have begun holding monthly office hours at Dartmouth College, as part of our initiative to develop stronger relationships with the student body. In the Plymouth area, we have begun the relationship with PSU's Business Enterprise Center, and will be holding our first office hours on Wednesday at that location, which is close for all police agencies in the Plymouth area, as well as PSU students. We will be holding office hours in the Littleton area as well.

(5) The Skye System

We have developed less expensive alternatives for the court system, and now have found an option that provides coverage in both courtrooms, that law enforcement can access, for the budgeted amount (\$35,000). The previous vendor was over \$100,000 so I was glad to hear there was a much more cost effective option. This is a system that children can use to testify remotely during jury trials. It also lets law enforcement provide testimony, when allowed, from their agencies with a free app for any computer with a camera. Lastly, it provides all the requirements for document cameras for trials, along with other technology for trials (videos, powerpoints, etc). If this is approved, I still need to obtain permission from the court system, which is not guaranteed.

(6) Early Case Resolution

Research shows that when defendants are punished closer in time to the crime, the punishment is more effective. It also saves money, as it is a more efficient manner of running our court system. I am proud to report that the OGCA, prosecutors and support staff, are expediting sending out discovery and plea offers earlier in the process. I am also proud to note that we are not resting on our Laurels, and continue to work on expediting this process even more, especially as we prepare for Felony First.

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The Chief Justice for the Superior Court came to Grafton County and gave a presentation to police chiefs on this initiative. I have a copy of the powerpoint, if anyone would like a copy.

(7) Cybercrimes

We summarized past training in last month's report, I will not re hash that information. In April, Assistant County Attorney Melissa Fales also received advanced Cybercrime training. Deputy County Attorney Paul Fitzgerald is offering a hour and a half long cybercrime training for law enforcement, "Digital Evidence for First Responders" in Littleton, Lebanon and Campton this month.

(8) Participation in Alternative Sentencing:

a. **Drug Court**

As with the past, we continue to screen all referrals to determine whether someone is an appropriate drug court candidate. Currently there are at least eight applications pending for review. The Office of the Grafton County Attorney continues to participate in the weekly court sessions every Monday, and assist with protocol and form development.

Our current program prohibits sale related offenses, and requires me to certify that the participant is non violent. There has been, and continues to be, a push to expand the program. This month the OGCA participated in a meeting at the Grafton County Superior Court about drug courts. Chief Justice Nadeau outlined research, and indicated that we should take even higher risk, higher need individuals. As I have noted in the past, I would be comfortable with developing another track, where, like most of the country, the conviction is not vacated (for example, I am uncomfortable with a violent crime or sale conviction being vacated, and permanently off someone's record so quickly). I also think, like Strafford, we should consider situations where someone serves a period of incarceration before entering drug court if the crime is such that it would be appropriate.

I do not think it is likely that Grafton County will receive a probation officer for drug court. This is a limitation to taking violent higher risk / higher need people, such as parolees. There are other concerns as well. I look forward to future meetings where the County stakeholders meet again, with commissioner involvement, to determine whether it is appropriate to expand our program.

I would note we may wish to start a less intensive program for first time drug possession offenders, people in the lower risk, but high need category (such as heroin addicts). Currently, offenders, such as heroin addicts, have an incredible need, but the crime (possession of personal use heroin) is not severe enough in most cases for our program. Perhaps a New Hopes type program or an adult diversion program would be a welcome addition to our alternative sentencing. In any event, Grafton County is ready for future discussions.

**b. Mental Health Court**

Shelly Golden has authorized the OGCA to reach out to her early in the process, well before sentencing, to determine whether she can be of assistance with individuals who are mentally ill. This is welcome and we look forward to clarifying exactly how this will work out.

I hear a promotional piece on the radio about the Grafton County Mental Health Court – it was very well done and is an effective way to get the word out. Shelly Golden explained that the Advocates supported this piece, yet another reason to be thankful for partnerships.

Mary Bleier is our office’s representative for the Mental Health Court initiative. I continue to support the development of a felony level program as well.

**c. Justice Involved Veterans**

New Hampshire’s Justice Involved Veterans Task Force has organized a state wide, all day conference for June 12, 2015. This will be a vital opportunity to learn about ways we can improve services to veterans in New Hampshire. An excellent source of information about Veterans Courts is at <http://www.justiceforvets.org/>. Currently over 250 people have enrolled, showing true support for our veterans, especially those that are struggling.

**(9) Circuit Court**

The Office of the Grafton County Attorney does not hire Circuit Court Prosecutors, with limited exceptions. However, the New Hampshire Department of Justice expects us to oversee any issues with prosecution in Grafton County, including circuit court prosecution. We are receiving increased requests for assistance from Circuit Court prosecutors. This work is not reflected in our statistics, but is vital. Each month, our webpage, entitled the NH Prosecutors Network, provides more and more resources for Circuit Court prosecutors.

Paul Fitzgerald and Melissa Fales will be training circuit court prosecutors on how to prosecute juvenile sex crimes in Family Court.

**(10) Victim-Witness Program for Misdemeanor Level (Circuit Court) Domestic Violence and Sexual Assault cases**

We are happy to report that we have received this grant for September 1, 2015 – August 2016. I am passing out the pamphlets for your region. We also now have the program fully designed and available to the entire county, and are seeing regular referrals.

**(11) The Child Advocacy Center**

The CAC has its Shield Our Children from Harm conference, signposting cybercrime. Wayne Fortier attended and shared the information with our office. We passed some information on at an event at Woodsville High School on May 6<sup>th</sup>.



I cannot emphasize enough the importance of this multidisciplinary approach towards helping our children. We have developed a new procedure in the Office of the Grafton County Attorney regarding child sexual assault cases, in which our investigator is available to answer police department questions on investigations, our prosecutors review the forensic interview close in time to it occurring, and our Victim-Witness Program is involved soon after the CAC interview occurs. For 2016, I wish to find CAC space in the Plymouth area. The CAC's budget cannot accommodate this commitment.

I do think financial support from the County is appropriate, the question is where in the County budget. I am adding a line item to my budget, but am open to suggestions for alternative sources.

#### (12) SARTS

- a. Plymouth Area Sexual Assault Resource Team
- b. Upper Valley Sexual Assault Resource Team
- c. Littleton Area Initiatives

We continue to participate in these invaluable initiatives. To learn more about SARTs please see <http://www.nsvrc.org/projects/sexual-assault-response-teams-sart-0>. We participated in a College Sexual Assault Conference and were a panelist on a screening of the Hunting Ground that I hope to bring to the Plymouth area.

#### (13) Drugs in Our Communities

We have received requests to meet with groups in the Haverhill and Littleton areas designed to tackle substance abuse in their communities and will do our best to participate in these important initiatives.

#### (14) Training

- a. Trainings that we conducted:
  - The OGCA conducted two trainings on Joshua's Law (the new domestic violence statute) and the Lethality Assessment protocol.
  - The OCGA presented at the College Sexual Assault conference at UNH School of Law.
- b. Training attended:
  - Sabra Carroll attend the Victim Witness Conference (for which she received a grant).
  - Melissa Fales will be attending the Commonwealth's Cybercrime Conference.



Mariana Pastore and Tara Heater attended the US Attorney's Office's Search Warrant training

Paul Fitzgerald and Carin Kniskern attended the EVAW adult sexual assault conference.

c. The Office of the Grafton County Attorney continues to conduct trainings for law enforcement and will be releasing a calendar for 2015.

d. Google Site

Plymouth State University is assisting in developing a google site for law enforcement. The Office of the Grafton County Attorney can administer the site, and law enforcement can be invited to join with a gmail account. We will have reviewed webinars, announcements and other training materials available 24/7.

e. PSU library

PSU has offered to provide library cards to members of law enforcement who wish to have a library card. The Office of the Grafton County Attorney will maintain a list to provide to PSU's library. Again, we greatly appreciate Plymouth State University's assistance in this initiative.

f. Prosecutors Network

We continue to work on sharing legal research and other resources with prosecutors via a simple system on our website.

g. Intern Brochure

We have received numerous requests for students to intern. While we cannot accommodate all these requests, working with a PSU intern, we have developed a brochure of resources for students that we will post on line. Thank you to Lucas, our PSU intern, who wrote this brochure.

(15)Law student interns

We will have an intern from the UNH School of Law this summer.

(16)Drop box

We are working with defense attorneys to forward discovery electronically via drop box, which would save costs in copying, and have an effective mechanism to track discovery. Thanks again to IT for assisting us with the security issues associated with drop box, and for Thomas Andross for his assistance understanding the NCIC system's requirements on electronic discovery.

(17)Facebook

This project has been delayed as we work through security issues, but we have not given up on having a uniform county facebook page we can go on that has all the police department facebook pages readily available. This is another effective mechanism to relay safety information to the public. In addition, it is vital that the public learns about the many good things happening in our police departments. This is another avenue to spread that information.

ED Libby stated that the Commissioners need to have updated individual and group pictures taken. She stated that Cara Dyke out of Orford has stated that she is able to take them. The Commissioners' agreed that May 26<sup>th</sup> at 12:30 would all work for them to go have them done.

The Commissioners and ED Libby discussed possible dates for a follow up Drug Court Meeting. They came up with a few different options and ED Libby stated that she would contact ASD Amero and see what works for her.

Commissioner Lauer stated that she and Commissioner Richards attended the drug court meeting yesterday.

Commissioner Richards stated that she sent out email regarding the five (5) year plan document for the farm and wants to follow up on developing certificates for inmates to obtain while serving time at the DoC.

Commissioner Cryans stated that on Wednesday Chief Justice Tina Nadeau was at the courthouse to facilitate a Drug Court meeting.

11:26AM with no further business the meeting adjourned.

Respectfully Submitted,

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Linda D. Lauer, Clerk