

# Department of Justice - Overview

An overview of the role of the Attorney General and structure of the DOJ

**\*Disclaimer:** This presentation is intended to give an overview of the major functions of the DOJ and not to cover every single responsibility of the DOJ/Office of Attorney General.

## Roles and Responsibilities of the Attorney General and the Department of Justice (RSA 7, RSA 21-M)

- Chief Law Enforcement Officer
- Chief Prosecutor
- Chief Legal Officer
- Public Protection/Public Interest
- Administrative Head of the Department of Justice

## Who does the Attorney General Represent?

- State employees and agencies operating in the scope of their employment
  - “If any claim is made or any civil action is commenced against a present or former officer, trustee, official, or employee of the state or any agency thereof...and the attorney general...determines that the acts complained of were committed by the officer, trustee, official, or employee while acting within the scope of official duty for the state and that such acts were not wanton or reckless...the attorney general shall represent and defend such person with respect to such claim or throughout such action, or shall retain outside counsel to represent or defend such person...” RSA 99-D:2

# Who does the Attorney General Represent?

- The Public
  - Discrimination claims - RSA 354-A:21
    - Equal Employment Opportunity - RSA 354-A:6
    - Fair Housing - RSA 354-A:8
    - Public Accommodations - RSA 354-A:16
    - Retaliation - RSA 354-A:16
    - Civil actions involving “hate crimes” - RSA 651:6, I (f)
  - Law enforcement - RSA 7:6
    - Capitol crimes
    - General supervision of criminal cases in tandem with county attorneys
  - Charitable Trusts - RSA 7:19
  - Consumer Protection - RSA 7:8-a
  - Election Law Enforcement

# Client Service vs. Independent Obligations and Authority

- In certain contexts, the Department of Justice serves clients as a “law firm” for the State Government
- BUT...the Attorney General has independent common law and statutory authority and obligations to
  - Ensure state agencies comply with the law
  - Act in the public interest
  - Enforce criminal laws
  - Protect the public
  - Determine and represent the legal position of the State
  - And more...

# Core Structure of Department of Justice

- Department of Justice organized into Divisions, Units and Bureaus that carry out the Attorney General's responsibilities
- Division of Public Protection
  - Criminal Justice Bureau
  - Consumer Protection and Antitrust Bureau
  - Environmental Protection Bureau
- Division of Legal Counsel
  - Civil Law Bureau (Client Counseling Unit and Civil Litigation Unit)
  - Transportation and Construction Bureau
  - Charitable Trusts Unit
  - Debt Recovery Unit
  - Election Law Unit
  - Civil Rights Unit

# Core Structure of the Department of Justice

- Office of Solicitor General
  - Criminal Appeals Unit
  - Civil Appeals
- Office of the Chief Medical Examiner
- Director of Administration
  - Director of Law Office Infrastructure
  - Business Office
  - Victim's Compensation Unit
  - Grants Management Unit and Strategic Initiatives

# Division of Public Protection - Criminal Justice Bureau

- Criminal Justice Bureau
  - Homicide Unit
  - Drug Unit
  - Medicaid Fraud Control Unit
  - Cold Case Unit
  - Office of Victim/Witness Assistance
  - Drug Task Force
  - Public Integrity Unit
  - YDC Unit



## Division of Public Protection - Environmental Protection Bureau and Consumer Protection & Antitrust Bureau

- Consumer Protection and Antitrust Bureau
  - Consumer Protection
  - Antitrust
  - Elder Abuse and Financial Exploitation Unit
- Environmental Protection Bureau
  - Enforces State's environmental laws
  - Provides client counseling services for Department of Environmental Services and Department of Energy

## Division of Legal Counsel - Client Counseling and Civil Litigation

- Civil Litigation Unit
  - Represents most state agencies in litigation
- Client Counseling Unit
  - Provides client counseling services for most state agencies

## Division of Legal Counsel - Transportation and Construction Bureau, Charitable Trusts Unit, and Debt Recovery Unit

- **Transportation and Construction Bureau**
  - Provides client counseling services and litigation support to the Department of Transportation and the Department of Safety
- **Charitable Trusts Unit**
  - Primary regulator of the State's charities
  - Registers all charities
  - Receives and reviews annual filings to ensure compliance with legal requirements applicable to charitable organizations
  - Reviews changes of control of charitable healthcare organizations
- **Debt Recovery Unit**
  - Works with all state agencies to recover debts owed to the State

## Division of Legal Counsel - Election Law Unit and Civil Rights Unit

- Election Law Unit
  - Enforces State's election laws
  - Provides client counseling services to the Secretary of State
  - Works with municipalities on compliance with and implementation of State's election laws
- Civil Rights Unit
  - Enforces State's Civil Rights Act
  - Provides client counseling services to the Human Rights Commission

## Office of Solicitor General

- Oversees all appeals (criminal and civil)
- Participates in major litigation that is likely to result in an appeal
- Coordinates legal strategy across the Office

# Office of the Chief Medical Examiner

- Performs death investigations and autopsies
- Coordinates production of certain data related to deaths in the state

# Director of Administration

- Director of Law Office Infrastructure
  - Works to ensure Office's technology and other infrastructure needs are met
- Business Office
  - Provides all basic business and accounting functions for office (i.e. tracks and pays bills, onboards new employees, etc.)
- Victim's Compensation Unit
  - Coordinates victim compensation program
- Grants Management Unit and Strategic Initiatives
  - Manages all grants that come through DOJ, including grants for DOJ functions and pass through grants that are sub-granted to other State agencies, municipalities, and private organizations

