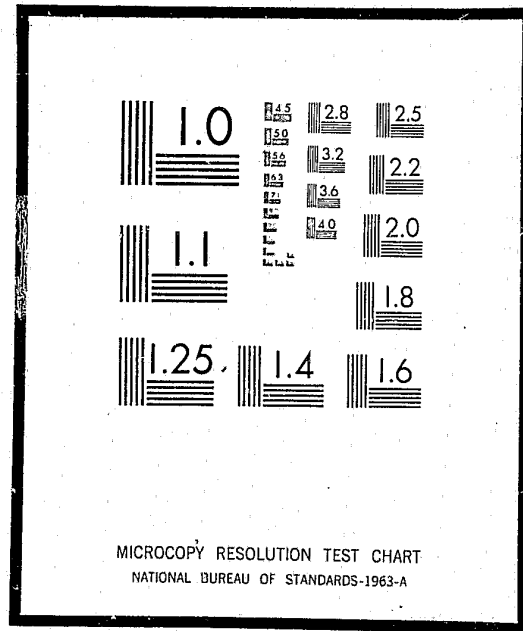


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U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

Date filmed

7/30/76

R-76-136

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT: Cheshire County, New Hampshire;
Sheriff's Department Management Analysis

REPORT NUMBER: 76-17

FOR: Cheshire County Sheriff Investigating Committee
County Population: 55,000
Sheriff's Department Strength (Total): 9
County Area: 736.2 square miles

NCJRS

JUN 2 1976

ACQUISITIONS

CONTRACTOR: Westinghouse Justice Institute

CONSULTANT: James T. Curran

CONTRACT NUMBER: J-LEAA-003-76

DATE: May 15, 1976

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FOREWORD

This request for Technical Assistance was made by the Cheshire County, New Hampshire, Sheriff Investigating Committee. The Committee, which is comprised of five County-appointed representatives, was first established to review the Sheriff's Department toward the goal of revising the Department's payment system for deputies. As a result of the Committee's initial investigation, numerous important questions emerged regarding the overall management of the Sheriff's Office. The requested assistance was concerned with assisting the Committee in completing their investigation by responding to the subsequent management and operational questions.

Requesting Agency: Cheshire County Sheriff Investigating
Committee, Mr. Whitcomb Wells, Chairman

State Planning Agency: Governor's Commission on Crime and
Delinquency, Mr. Ronald J. Curran

Approving Agency: LEAA Region I (Boston), Mr. John M. Keeley,
Police Specialist

1. INTRODUCTION

1.1 Cheshire County

Cheshire County is in the southwest corner of the State of New Hampshire, bordered by Massachusetts on the south; Vermont on the west; and by the New Hampshire counties of Sullivan on the north, and Hillsborough on the east. Cheshire County has approximately 55,000 residents and covers an area of 736.2 square miles.

The city of Keene, with a population over 20,000 is located in the center of the County and is its governmental and economic center. The southwestern New Hampshire region appears to be economically stable and population projections indicate a steady growth rate of approximately 10 percent per decade.*

1.2 Public Safety and Law Enforcement Services

Public safety and law enforcement services in Cheshire County are provided by agencies organized on the traditional three-tier, State, county, and local model. In addition to the State Police and the County Sheriff's Departments, Cheshire has 23 municipal or town police departments with 40 to 50 full-time officers and more than 130 part-time officers.

1.2.1 The State Police

State Police Troop C, at Keene, serves Cheshire and Sullivan Counties. The State Police provide Cheshire with radio-dispatched motor patrol during busiest hours and on-call service at other times. The State Police Detective Bureau provides investigative, laboratory, criminal intelligence, and records services to the county sheriff and municipal police agencies.

1.2.2 The Cheshire County Sheriff's Department

The Cheshire County Sheriff has a department of four full-time deputies, two full-time secretarial assistants, and three special deputies who can be called on to work at fixed per-diem rates.

The Sheriff's Department is primarily involved in facilitating the operation of the Superior Court by serving legal process, transporting prisoners, and conducting criminal investigations sometimes at the request of the county attorney. The Department, for the most part, does not engage in patrol or emergency response services.

*Southwestern New Hampshire's Regional Planning Commission Population Projections, 1980 through 2020, Greater Keene Chamber of Commerce.

1.2.3 Municipal and Town Police

Municipal police agencies in Cheshire County vary in size from Keene's 30 full-time officer police department to the numerous town departments staffed by one or more part-time officers. Table 1-1 provides an overview of law enforcement/public safety personnel and expenditures in Cheshire County.

1.3 General Background of the Technical Assistance Request

In the spring of 1975, the New Hampshire legislature approved an increase in the per-diem wages paid deputy sheriffs assigned to court or investigations from \$27.00 to \$40.00, and increased auto mileage payments from \$.12 per mile to \$.25 per mile. These increases were to become effective in the fall of 1975.

Confronted with these increased per-diem rates, the higher mileage payment costs, and the information that the total earnings of two Cheshire County deputies appeared to significantly exceed the salary paid to the Sheriff, the County legislative delegation appointed a committee (Sheriff Investigating Committee) to study the wage and fee system of the Sheriff's Department.

The Committee recommended that deputy sheriffs be salaried rather than paid a combination per-diem wages and process fees, as had been the practice, and this recommendation was approved by the County legislators. However, because important questions regarding the overall management of the Sheriff's Department surfaced during their study of the wage and fee system, the Committee continued its inquiry into the operation of this Department.

During the past nine months, the Sheriff's Department Investigating Committee has studied the management of this agency by examining records and conducting extensive interviews and formal hearings. As a result of that investigation, several sensitive questions arose concerning the overall Sheriff's Department management, which the Committee felt could best be responded to by outside technical assistance.

For the Consultant to understand the background and nature of the technical assistance request, an extensive collection of documents and correspondence was assembled and reviewed. In addition, personal interviews were conducted with a substantial number of people who, as a result of their work responsibilities and experience, were believed to be able to provide information regarding the management and operation of the Sheriff's Department.

Persons interviewed included those listed below under their respective departments.

TABLE 1-1

Law Enforcement/Public Safety Personnel
and Expenditures in Cheshire County

<u>Cheshire County Jurisdictional Town</u>	<u>Full-time Personnel</u>	<u>Part-time Personnel</u>	<u>1974 Appropriation</u>
Sheriff's Department	4	4	\$ 30,940.00
	(Currently 5) 1 Sheriff 4 Deputies	(Currently 3)	(\$51,109.00)*

Alstead	1	5	3,000.00
Chesterfield		3	6,400.00
Dublin	1	3	15,500.00
Fitzwilliam		4	15,500.00
Gilsum		2	1,200.00
Harrisville		3	3,300.00
Hinsdale	4	16	40,000.00
Jaffrey	8	12	85,000.00
Keene	30	10	488,612.00
Marlborough		7	6,500.00
Marlow		2	300.00
Nelson		2	650.00
Richmond		9	6,000.00
Ridge		5	21,000.00
Roxbury		2	500.00
Stoddard		6	1,000.00
Sullivan		2	600.00
Surry		1	1,150.00
Swanzey		21	18,500.00
Troy		4	15,000.00
Walpole		3	10,000.00
Westmoreland		1	1,800.00
Winchester		12	17,900.00
TOTALS:	49	138	\$790,352.00

*The Investigating Committee's calculation for total wage costs for 1974.

• Cheshire County Legislative Subcommittee
Studying the Sheriff's Department

- Anne B. Gordon -- R-Jaffrey.
- Katherine M. Hanna -- D-Keene, Ward 5.
- Patricia T. Russell -- D-Keene, Ward 2.
- Whitcomb Wells, Chairman -- R-Swanzey.

• Cheshire County Sheriff's Department

- George W. Schnyer, Sheriff.
- Robert L. Bonner, Deputy Sheriff.
- George E. Schnyer, Deputy Sheriff.
- Lawrence G. Sweeney, Deputy Sheriff.
- Ralph R. Winham, Deputy Sheriff.
- Warren Dearth, former Deputy Sheriff.

• New Hampshire Probation Department -- Cheshire District

- Sherwood Vachss, Probation Officer.

• Fire Mutual Aid

- Robert C. Callahan, Director.
- Edward Matson, Dispatcher.

• Correctional Services -- County Farm

- Charles R. Waterman, Superintendent

• Cheshire County Superior Court

- Edward O'Brien, Court Attorney.
- Charles Contas, Clerk of the Court.

• Municipal Police/Government Officials

- Harold Becot, Chief of Police, Keene Police Department.
- Kurt Schiemke, Chief of Police, Fitzwilliam Police Department.
- David Chaney, Selectman, Marlborough, New Hampshire.
- Romeo Bleau, Police Officer, Marborough, New Hampshire.

In the collection of data, both documentary and through personal interviews, every effort was made to develop as complete and accurate a picture of the Cheshire County Sheriff's Department and the services it provides as could possibly be accomplished within the scope of this technical assistance project. It is the Consultant's impression that expenditure of additional onsite time, interviewing and observing, may have sharpened somewhat the understanding of problem-specifics, but in all probability would not have significantly changed the nature of the findings and recommendations herein presented.

The provision of technical assistance in relation to the sensitive public issues addressed in this report would not have been possible without the cooperation of many people who are concerned about public safety, Cheshire County, and the County's Sheriff's Department.

The work of the Investigating Committee was purposeful and extensive and their work has already contributed significantly to the continued development of public safety and law enforcement services in Cheshire County. Sheriff George W. Schnyer's candor and openness in response to inquiries regarding the management of his office was very helpful and informative. He arranged for interviews with his deputies, encouraged staff cooperation, and, upon request, suggested a number of court and law enforcement officials who might provide information on the nature and effectiveness of his Department's work.

The Consultant would like to express his appreciation to the Investigating Committee under the chairmanship of Representative Wells, to Sheriff Schnyer and the members of his Department, and to all persons in Cheshire County who contributed information.

2. UNDERSTANDING OF THE PROBLEM

2.1 Change of the Deputy Sheriffs' Wage System

During the summer of 1975, after reviewing the wages, fees, and expenses paid to deputies, the Sheriff's Investigating Committee recommended and the County legislative delegation voted to eliminate the per-diem and process-fee system under which deputy sheriffs had been paid. In place of the fee system, the delegation established an annual salary system for members of the Sheriff's Department.

In its assessment of the former wage and fee system, the Committee found that its computation of amounts earned by deputy sheriffs far exceeded County data on the deputies' wages and fees. Deputy Robert L. Bonner responded publicly to the Committee's report of his wages indicating that the Committee's total earnings figure included over \$3,000 of reimbursed expenses. Bonner's report of his actual earnings was approximately midway between the County and the study Committee's figures. Table 2-1 compares the original County report of amounts earned by deputy sheriffs with the study Committee's calculation of what might be called total costs for deputy sheriffs' services. Deputy Sheriff Bonner's report of his earnings is also listed as an indication of the actual earnings of the deputies and the complexities involved in determining total personnel costs under the wage and fee system used prior to August 1975.

2.2 Adjustment to the Deputies' Salary System

Although there are indications that Sheriff Schnyer was concerned that the "salary only" system would reduce the production of his Department by removing the incentive of the fee system, he did submit the personnel budget request shown in Table 2-2 to the County delegation.

The County delegation approved Sheriff Schnyer's request for two deputies at \$11,600. However, the delegation funded only two of the three additional deputies he requested and appropriated salaries of \$9,500 and \$9,000, respectively, rather than \$10,500 as requested. In addition, the delegation approved the request of \$2,500 for the services of special part-time deputies and raised the Sheriff's salary by \$1,000 to \$13,000 per year.

2.3 Reduction of the Sheriff's Department

There were five full-time deputies employed by the Sheriff's Department when the County delegation approved the shift to salaried deputy positions. However, only four salaried positions were approved, and at the end of August 1975, the Sheriff laid off one deputy.

2.4 Broader Study of the Sheriff's Department

On September 4, 1975, shortly after the deputy's layoff, the study Committee broadened the focus of its inquiry and prepared a list of questions on the general management of the Sheriff's Department. The

TABLE 2-1

Cheshire County Deputy Sheriffs' Reported Earnings -- 1974

<u>Name of Deputy</u>	<u>County's Report of Amounts Earned 1974</u>	<u>Delegation's Report of Amounts Paid 1974</u>
Robert L. Bonner	\$13,200.00	\$18,898.75*
Ralph Winham	12,526.24	15,442.23
William Smith	704.00	871.40
Ernest Goodall	8.00	
Wesley Ryan	750.00	836.00
Arthur Rivard	1,081.41	1,116.21
Vernon Fowler	646.00	741.00
Warren Dearth	5,527.78	6,137.00
Lawrence Sweeney	6,382.54	7,085.00
TOTALS:	\$40,825.97	\$51,109.00

*\$15,501 was reported by Deputy Sheriff Bonner to be his actual earnings when expense reimbursement was deducted.

TABLE 2-2

Personnel Budget Request

Five Deputies full time: 2 at \$11,600.00

3 at 10,500.00

\$25.00 for part-time deputies in Hinsdale, Jaffrey and Walpole, who are called on for occasional duty.

\$.25 per mile for deputies when using their own car in accordance with RSA 104:31 (New).

questions were formally submitted to the Sheriff in a letter dated September 9, 1975, with a request that he respond to the Committee prior to September 18, 1975. On September 18, the study Committee reported that the Sheriff had not responded to their questions, as requested. The legislative delegation then voted to change the status of the study Committee to that of a formal investigative panel with the right to summon witnesses and to hear sworn testimony.

Sheriff Schnyer met with the Investigating Committee on September 29, 1975, and provided responses to the Committee's questions. The letter sent to the Sheriff by the Investigating Committee and his responses to their questions appear as Appendix A.

Although the Sheriff/Investigating Committee meeting was cooperative, it did not resolve the Committee's questions regarding the management of the Sheriff's Office. Of particular concern to the Committee was the Sheriff's report that his office maintained no personnel records.

2.5 The Decision to Request Technical Assistance and Definition of the Assignment

In November 1975, after having reviewed and collected a substantial amount of information, the Investigating Committee began to explore the possibility of obtaining consultant help in analyzing the management and operations of the Sheriff's Department. On January 15, 1976, the Deputy Director of the Governor's Commission on Crime and Delinquency, Ronald J. Curran, indicated in a press interview that the Committee would be provided with technical assistance and that the Consultant's study would "weigh such factors as the Department's use of manpower and vehicles and will make recommendations on the overall operation of the Department."*

The general objective of the technical assistance assignment, as detailed by the Committee, was to study the Cheshire County Sheriff's Office; report on its management and operation; and, if appropriate, make recommendations for improved, more cost-effective delivery of this Department's services.

*The Keene Sentinel, January 15, 1976.

3. ANALYSIS OF THE PROBLEM

3.1 The Sheriff's Responsibilities

The Cheshire County Sheriff is an elected, salaried public official whose term of office is two years. In general, the duties of the county sheriffs are outlined by State statute; however, there are important differences in the organization and services provided by the various New Hampshire sheriff's departments.

In Cheshire County the Sheriff's Department is responsible for:

- Provision of bailiffs for the superior court.
- Custodial transport of prisoners and, when circumstances warrant, the mentally ill.
- Service of all civil and criminal process.
- Investigation, with the medical referee, of sudden deaths.
- Investigation of criminal cases referred by the County Attorney, by direct citizen complaint, or in response to a request for investigative support from a municipal police agency.
- Arrest or detention of the alleged perpetrators of crime for presentation to the court.

3.1.1 The Sheriff

George W. Schnyer, Sheriff of Cheshire County, is a Navy veteran who worked in the field of auto mechanics and auto racing prior to being appointed a deputy sheriff by his predecessor, Frank W. Walker. Sheriff Schnyer has been the elected Sheriff of Cheshire County since 1969. He is a State Certified Police Officer as a result of his professional experience.

3.2 The Deputy Sheriffs' Responsibilities

Deputy Sheriffs are appointed by and report directly to the Sheriff. For the most part, the four full-time deputy sheriffs function as generalists and are assigned by the sheriff as needed to carry out the duties of his Department. Both full-time and special deputies do have some particular responsibilities in relation to their local residential communities or regions. Some geographic specialization is, for example, necessary to the efficient service of civil and criminal process. In addition, response to complaints and assignment to criminal investigations appear, in some situations, to be made on the basis of the deputies' local community or regional affiliation.

3.2.1 The Deputy Sheriffs

Deputy Sheriff Ralph R. Winham has served with the Cheshire County Sheriff's Department for over 30 years. It is reported that his knowledge of law and court process is an asset to the Department and that he is generally assigned to investigate criminal cases involving sensitive issues and feelings, such as complaints of sexual assault. Deputy Sheriff Winham is a State Certified Police Officer as a result of his professional experience.

Deputy Sheriff Robert L. Bonner has served with the Cheshire County Sheriff's Department part time since 1960 and as a full-time deputy since January 1969. Deputy Sheriff Bonner served in a military intelligence unit during World War II and is particularly interested in criminal investigation. He has attended investigator training programs conducted by the New Hampshire Police Standards and Training School, the Federal Bureau of Investigation, and the University of New Hampshire. He is a State Certified Police Officer on the basis of his professional experience.

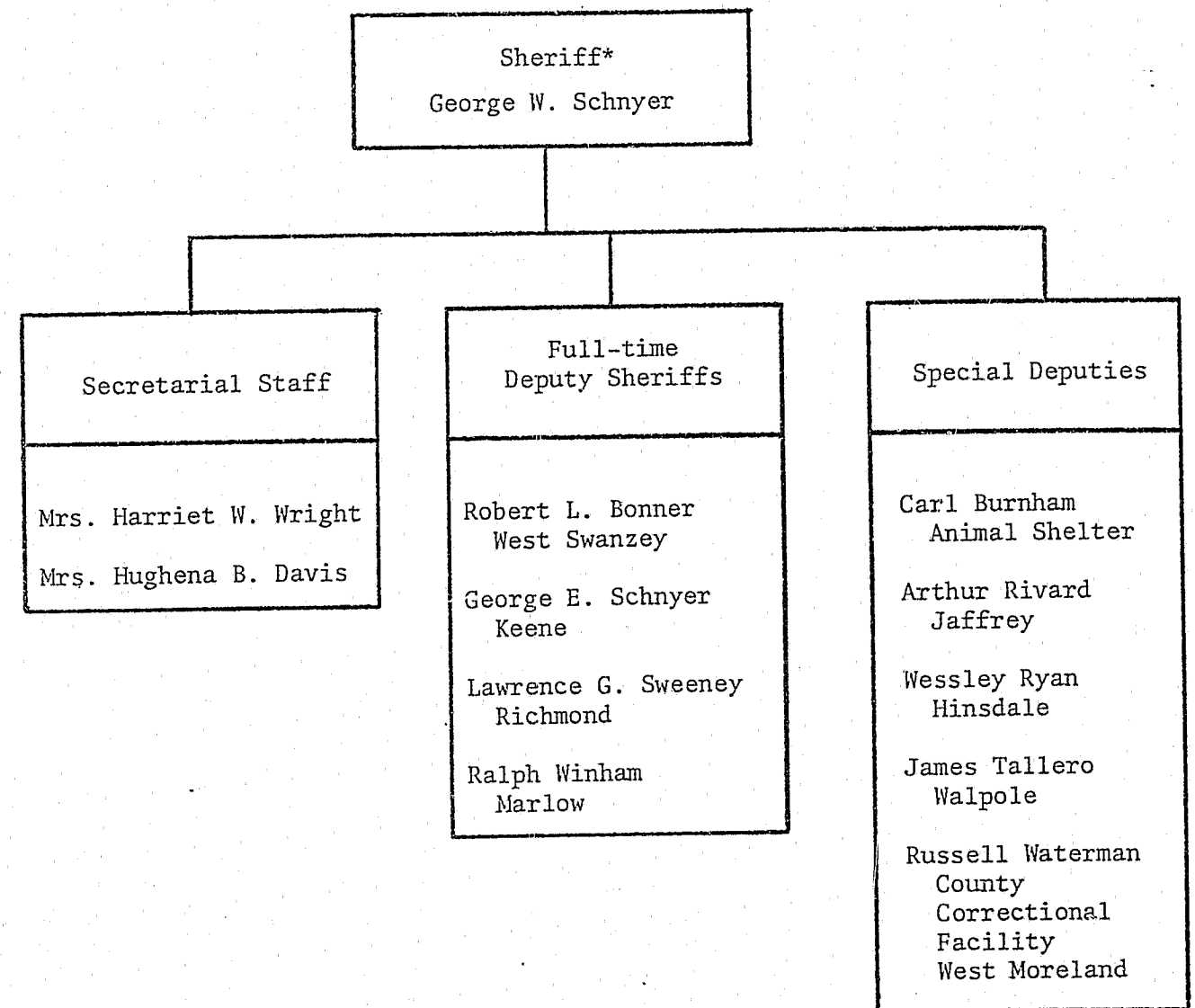
Deputy Sheriff Lawrence G. Sweeney served for a number of years as a police officer and as a police chief in the town of Richmond, New Hampshire, prior to his appointment as a deputy sheriff in 1974. Deputy Sweeney is a military veteran. He has taken criminal justice courses at St. Anselm's College and has attended the Federal Bureau of Investigation's Fingerprint School. Currently, he is studying business management and expects to attend the New Hampshire State Police Officer Training School within the next few months.

Deputy Sheriff George E. Schnyer has served in Cheshire County since June 1975. Prior to his appointment as a deputy, he was employed in industrial supply and machine tool work. He is a State Certified Police Officer as a result of attendance at the State Training School during the fall of 1975.

3.3 Secretarial Staff

In addition to discharging what might be called expected or routine office responsibilities, Mrs. Harriet W. Wright and Mrs. Hughena B. Davis are, to differing extents, individually involved in the broader management and operation of the Sheriff's Office. For example, Mrs. Wright's tenure in the Sheriff's Department is notably reported to be characterized by both able service and increased responsibility. In addition, both women are reported to be special deputies and, given the relative absence of women in county law enforcement, this ancillary role appears both necessary and appropriate as a short-term, stop-gap measure only.

A Cheshire County Sheriff's Department Organization Chart appears as Figure 3-1.



*The Sheriff's budget is approved by the County legislature, but as a publicly elected official he does not report to the County government.

Figure 3-1. Cheshire County Sheriff's Department Organization Chart (unofficial).

3.4 Facilities and Equipment

3.4.1 The Sheriff's Office

The Sheriff's Department occupies one fairly large room on the second floor of the Cheshire County Court House. This room serves as an office, primarily for the Sheriff and the two members of the Department's secretarial staff. The deputy sheriffs, of course, do report to and occasionally do paper work in the office but they do not have desk space. The Sheriff's Office appears adequately equipped and furnished (i.e., desks, typewriters, etc.) but the single room with public access provides no opportunity for private work or conferences. Meetings and interviews with the Sheriff and his deputies are held in a combination office-storeroom, which is also used by lawyers and probation officers for conferences with clients.

3.4.2 Autos

The Sheriff's Department has two police-marked, radio-equipped sedans and one marked, radio-equipped, 12-passenger van. All three vehicles are equipped with fire extinguishers; one sedan is a "police package" model (this generally includes heavy-duty suspension, steering, and breaking systems). None of the vehicles have protective screens, separating safety panels, or lock systems to facilitate prisoner transport duty.

One of the sedans is used primarily by the Sheriff; the van is used whenever jury-transport or the transport of more than two or three prisoners is necessary. At other times, the van and the second sedan are used interchangeably in the general functions of the Department.

3.4.3 Equipment

The Sheriff's Department owns a radio transmitter, five shotguns, three tear-gas guns, several sets of handcuffs, and the badges given to deputy sheriffs. Deputies are not uniformed and supply their own personal firearms.

3.5 Records and Reports

The following records are maintained by the Sheriff's Department:

- Deputy's Daily Log -- This activity report lists, on a daily basis, the assignments (i.e., bailiff duty, prisoner transport, case investigation) of the deputy sheriffs. An individual log is maintained for each full-time deputy and entries are made by Mrs. Wright on verbal and written information from the deputies.

- Criminal Complaints and Investigations -- All of the reports, photos, and documents related to a particular criminal complaint or investigation are placed in a "case" folder. These case folders or envelopes are given consecutive serial numbers as they are referred or come to the attention of the office.
- Civil and Criminal Process Records -- A record is maintained of the service of all civil process given to the Department. It does not appear, however, that there is a similar comprehensive log maintained for criminal process. Issuance of criminal process would, of course, be a matter of court record; service of criminal process should be recorded in the deputy's daily log and, in the case of mittimi (bench warrants), in the Department's arrest data, which is presented in the sheriff's annual report.
- The Sheriff's Annual Report -- The Sheriff submits an annual (calendar year) report to the County Commissioners and the citizens of Cheshire County. Copies of the Sheriff's report for the years 1974 and 1975 appear as Appendices B and C.
- Auto Expense and Maintenance Records -- The manner in which the maintenance and expense records of the Department's three vehicles are maintained is unclear. Department credit cards are used for the purchase of gasoline, oil, and tires; but it is not known if these are collected or reviewed. When the Investigation Committee requested a report from the Sheriff's Office on auto expenses and maintenance costs, the information shown in Table 3-1 was prepared and submitted.

TABLE 3-1

Sheriff's Office Auto Expenses and Maintenance Costs

October 1974 through October 1975

	<u>Gasoline</u>	<u>Tires</u>	<u>Repairs, etc.</u>	<u>Insurance</u>	<u>Total</u>
Plymouth	\$1836.11	\$103.50	\$294.15	\$363.00	\$2596.76
Ford	1398.95	176.72	543.22	363.00	2481.89
Van	<u>681.26</u>		<u>70.00</u>	<u>271.25</u>	<u>1022.51</u>
Totals:	\$3916.32	\$280.22	\$907.37	\$997.25	\$6101.16

- Personnel Records -- The Sheriff's Department has an employment application form (see Appendix D). The Department also uses the State's standard appointment form for deputy sheriffs (see Appendix E). However, in line with the Sheriff's report to the Investigating Committee, it does not seem that individual personnel records on current employees in the Department (which would presumably include these forms and other pertinent information) are maintained.
- Warning and Consent Forms -- Interrogations and Searches -- The forms used by the Sheriff's Office to ensure that persons under investigation or in custody are informed of their rights and that consent to search or interrogate, if given, is documented are presented in Appendices F through I.

3.6 Regulations and Procedural Manuals

3.6.1 Rules and Regulations for Bailiffs -- Superior Court

The clerk of the Cheshire County Superior Court, Charles J. Contas, indicated that a manual providing a description of the duties of deputies serving as court bailiffs has been distributed to members of the Sheriff's

Department. A copy of this manual, which appears both clear and comprehensive, is included as Appendix J.

3.7 Organization and Work Schedule

3.7.1 Work Hours

The Sheriff's Department operates from 8:00 a.m. to 6:00 p.m. and these are the regularly scheduled work hours of all Department personnel. In addition, the Sheriff reports that he is on call at any time and that, when necessary, he can and does call out his deputies at other than their regularly scheduled work hours. Members of the Sheriff's Department refer to the 8:00 a.m. to 6:00 p.m. time schedule as a 40-hour work week; therefore, it is assumed that they have an unpaid, one-hour lunch period.

3.7.2 Task-Time Allocation

It was unfortunately not within the scope of this study to attempt to reconstruct from the deputies' individual logs the relative distribution of work time spent on various tasks. It was reported that generally two deputies are required to serve as bailiffs whenever Superior Court is in session (approximately 30 weeks per year; 30 weeks times 2 deputies equals 60 deputy-weeks.) If it is assumed that the four deputy sheriffs each work 50 weeks per year (200 deputy work-weeks), it can roughly be estimated that 30 percent of the Department's time is spent on bailiff duty.

3.8 Personnel Development

3.8.1 Training

In addition to the training previously mentioned in the profiles of the deputies, the Sheriff's Department reportedly has fairly regular in-service training programs for its personnel. It was also reported, however, that recently, with the exception of sending a deputy to the State Police Officers' Training School in 1975, there has been a general decrease in the amount of time spent on training in the Department.

3.8.2 Employee Benefits

Interviews with the Sheriff and staff of the Department indicated that employee benefits such as life, medical, hospital, and liability insurances are either not provided or not adequately provided.

3.9 Policymaking, Planning, and Organizational Development

The Sheriff's Office appears to approach management tasks such as goal setting, determining priorities, and organizing work on an informal rather than a formal basis. As a result, written statements of the

Department's policies are not available; therefore, it is difficult, given the scope of this study, to determine or present an accurate picture of organizational purpose or direction. It should be noted, however, that during discussions the Sheriff did identify the increased development of his agency's capacity to prevent and investigate crime as a future objective of the Department. The Sheriff also indicated that his request to the County legislature, in November 1975, for two additional patrol vehicles was related to the pursuit of this objective. It appears imperative that a written set of Departmental policies and objectives be developed to serve as a basis for Departmental operations.

4. FINDINGS AND CONCLUSIONS

The findings and conclusions presented in this section represent the experienced-based judgment of the Consultant and are based on the large volume of data collected and analyzed in a relatively short period of time allocated to the technical assistance assignment. The recommendations that resulted from these findings and conclusions are presented in Section 5. Together, Sections 4 and 5 serve as a constructive contribution to public safety planning and decisionmaking in Cheshire County.

4.1 Public Accountability and Recordkeeping

- The Sheriff's Department does not appear to maintain a recordkeeping or reporting system that permits adequate access for public review of the Department's policies, productivity, and spending.
- Individual personnel records, which might include an appointment letter, resume, performance evaluation, complaints and commendations, are not maintained by the Sheriff's Office.
- An annual report is prepared by the Sheriff's Office. However, it is questionable whether this report provides County citizens and/or legislators with very much information regarding the nature and incidence of crime in Cheshire County or information on the productivity and expenditures of the Department. For example, in the Sheriff's Annual Report for 1974, 150 (or one-third) of approximately 450 investigations recorded were labeled as miscellaneous.
- While the Sheriff expressed appropriate concern regarding the release of information to the press about ongoing criminal investigations, the Department does not seem to have an effective public information policy that ensures and provides for the citizens' "right to know." The confusion created by several conflicting published reports of deputies' earnings and Department costs required a full disclosure of Department expenditures to assure the public that their money is well spent and their trust is well placed.
- The report of auto expenses provided by the Sheriff's Office to the Investigating Committee actually raised as many questions as it answered by not providing specific details on larger cost

items and copies of receipts to document expenditures. A profile of the auto-use pattern, model and year information, mileage, efficiency data, major repairs, description of insurance coverage, and estimated annual depreciation are among the items that might appropriately have been included in a report of this kind and might also have helped to support the Department's request for additional vehicles. It might be noted that the Sheriff is reported to have asked the County legislature for \$8,000 to purchase two vehicles and an additional \$7,200 to operate them. The \$8,000 request appears minimal (perhaps too low, depending on the vehicles to be purchased) and the \$7,200 use and maintenance request is more than \$2,000 higher than the annual cost incurred for two sedans as reported to the Investigating Committee.

- There does not seem to be any comprehensive inventory record of equipment purchased or assigned to the Sheriff's Department. The inventory of Department equipment that appears in Section 3.4.3 of this report was provided verbally. While it is particularly important to maintain adequate records for the more expensive Department properties (e.g., vehicles), it should be noted that sound public administration practice requires that every reasonable care be taken to obtain and maintain maximum service from all equipment and materials purchased with public monies.

4.2 The Responsibilities and Resources of the Sheriff's Office

- In the absence of any other countywide police agency, the Sheriff can, unless his role is clearly defined, come to be regarded as totally, or partially, responsible for a range of tasks and services that far exceed the personnel, equipment, and organizational resources of his Department.
- As the chief law enforcement or police officer of the County, the Sheriff has the right and perhaps even the responsibility to address all of the County's law enforcement and public safety needs. The general police and crime prevention responsibilities of the Sheriff's Office are, however, not clearly defined. There appears to be

no clearcut formula for determining the circumstances when the Department should respond to or investigate a complaint of crime, either in addition to or instead of State and local police. Although the Sheriff's Department apparently provides some needed countywide public safety and criminal investigative services, there is concern that in some ways the Department has maintained the image of an effective countywide criminal investigation agency without having the resources to adequately provide these services.

- The court service functions of the Sheriff's Office include an integrated set of related duties that appear to represent the major focus of the Department's work and the commitment of most of its current resources.
- The responsibilities of the Sheriff's Office in relation to the Superior Court are clearly defined; and there is evidence that the overall performance of the Department is good in providing bailiffs, transporting prisoners, and conducting investigations in cooperation with the County Attorney.
- Although the Sheriff's Department appears to be generally effective in providing services to the Superior Court, the Department has not initiated any formal analysis to determine how well the new payment system is working in terms of documenting the productivity changes that may have resulted from the recent shift from the fee to the salary system.
- There is a high level of interest in and commitment to criminal investigation among members of the Sheriff's Department. Moreover, there is evidence that some members of the Department have a good deal of training and experience in this area. However, it is not possible, given the personnel, equipment, and organizational capacity of the Cheshire County Sheriff's Department, for this agency to adequately investigate citizen complaints of crime on a countywide basis. It is, however, possible for the Department to continue to serve effectively as the investigative arm of the County Attorney's office if its investigative efforts were focused on a controlled number of cases referred only by that office.

- If, along with its other court-related functions, the criminal investigative responsibilities of the Sheriff's Office could be focused on those cases referred by the County Attorney, it would seem that the number of personnel currently assigned to the Sheriff's Office is adequate.
- While there is an absence of task time or efficiency data on the Department's performance, it does appear that since the deputies, the Sheriff, and his staff are, so to speak, always on public view, it could contribute to an unfair but apparent impression that "they just seem to hang around." It should be noted that when the deputies serve as bailiffs, they spend a substantial amount of time on call when the court is in recess or in private judge's session. During these times, without an office out of the public view, there is a good chance the deputies would find it difficult to avoid giving the appearance of "just hanging around."
- The space available to the Sheriff's Department in the courthouse appears inadequate. There does not seem to be any provision for the deputies to have even minimal desk space, or for any member of the Department to work or meet in conference in an area of relative privacy.
- In the absence of clearcut task-time and auto-use data, it can be speculated, on the basis of the availability of personnel to use them, that purchasing one new auto may adequately serve the needs of the Sheriff's Department since during a substantial part of the year (30 or more weeks), two deputies are reportedly assigned almost exclusively as bailiffs in Superior Court. Under these circumstances, it may be cost-effective to rent the additional vehicle only at times when court is not in session and all personnel are available to engage in field work.

4.3 Personnel Salaries and Performance

- The per-diem wage and fee system used prior to August 1975, when the salary system for deputy

sheriffs was established, made it difficult to determine and control the total costs of the Sheriff's Department and thereby impeded responsible management of governmental funds. It was necessary for the County legislature to adopt a more fiscally sound and accountable system. However, the earnings of some deputy sheriffs under the new salary system appear to be of questionable adequacy. In addition, the earnings seem to reflect the age and experience characteristics of current personnel to an extent that may be excessive for employees with identical titles and, at least theoretically, the same duties.

- There does not appear to be a formal supervisory records system whereby Sheriff's Department staff submit any personally signed records of hours worked and/or duties performed. As a consequence, there appears to be no formal opportunity for the Sheriff to review and verify the performance of work performed.
- There is no comprehensive manual of procedures that outlines and describes the basic duties and responsibilities of the Sheriff's Office and its personnel. The Bailiff's Rules and Regulations represents the only guide to the deputy sheriff's job; it does, however, provide an excellent model for the development of procedural guidelines in other areas of Departmental responsibility.

4.4 Public Safety in Cheshire County

- While there is no reliable countywide crime data under the present recordkeeping practices, informal evidence, mostly the verbally expressed perceptions of law enforcement and other criminal justice personnel, appears to indicate that serious crimes, like robbery and burglary, are increasing in Cheshire County.
- The Cheshire County public safety system appears to be more costly and less effective than it could be if its resources were organized and used in a coordinated way.
- Despite expenditures of over \$800,000 per year and a total of almost 200 full-time and part-time police officers, Cheshire County

does not, under its present decentralized public safety system, guarantee 24-hour crime prevention and on-call emergency response service for its residents. Even recognizing the fact that 75 percent of Cheshire County police officers are part-time, it would seem that the County should be able to provide those needed services.

5. RECOMMENDATIONS

The following are the Consultant's recommendations relative to his findings and conclusions about the Cheshire County Sheriff's Department:

- The Sheriff's Office is generally regarded as effective in providing the court prosecutor-related services that appear to be its major function. Focus of all of the Department's energies on court-related and statutory responsibilities of the Sheriff's Office, by excluding general countywide police and investigative work, would enhance the agency's already demonstrated effectiveness in its areas of primary responsibility.
- Detailed procedural manuals, such as the Rules and Regulations for Bailiffs, should be developed outlining the specific objectives, tasks, and required reports associated with each major Department function. For some functions, such as prisoner custody and transport, it is possible, as an interim measure and at minimal cost, to adopt another sheriff's department's rules and regulations as a guide until a specific set of rules and regulations can be developed for the Cheshire County Sheriff's Department.
- Job descriptions should be drafted and used in the development of both the procedural manual and personnel records system. While in a relatively small department a "generalist base" is clearly appropriate, some specialization of responsibility encourages innovation and a sense of job-satisfaction. While it is probably necessary for all deputies to serve effectively as bailiffs, it would probably be valuable to both an individual and the agency if a particularly competent and interested deputy was given responsibility to develop and coordinate the Department's procedural manual and personnel records system.
- A formal written inventory of Department equipment and supplies containing separate maintenance and repair records for each major cost item (at least the Department's autos, radio, office furniture, and equipment of significant cost) should be prepared as soon as possible. Since there is sometimes a negative reaction to what can appear to be "bureaucratic nitpicking," it is appropriate to note

that once the process of recording and accounting for publicly owned property entrusted to them is initiated there is a tendency on the part of public service employees:

- To recognize the basic common sense of the procedure.
 - To make appropriate decisions regarding the content, detail, and organization of their equipment inventory and maintenance records.
- Since there appears to be no formal personnel record system maintained by the Sheriff's Department, a minimal requirement that files, including at least an employee's resume and rudimentary work record, should be established with all reasonable haste and with the clear indication that these records would be developed into a formal personnel records system that is adequate to the needs of the organization and the government body that provides its appropriation.
 - The Sheriff's Department should develop motivational and productivity-maintenance support to replace the incentives of the per-diem wage and fee system so that an acceptable level of service can be maintained. At a minimum, it is necessary to develop a work-input, -progress, and -completion records system so that problems can be identified. Since there is some indication that problems may already exist in the efficient service of court process, an assessment to determine if there is a backlog and the establishment of a current monitoring system would appear to be recommended as a priority objective.
 - While any further and major decisions regarding Sheriff's Department's earnings should probably be made within the framework of a broader evaluation of the overall function of the Sheriff's Department, every reasonable effort should be made to provide a salary-benefit package that is regarded by the incumbents as basically adequate compensation for their work and thus ensure maintenance of their morale and

job-motivation. Comprehensive health, life, and liability insurances are, to some extent, standard benefits for persons engaged in law enforcement work. A modest system of seniority and merit or achievement wage increases, clothing and equipment reimbursements, and tuition refunds for approved job-related studies are other employee fringe or incentive benefits that should be considered.

- The absence of vehicle use and maintenance records was of particular concern to the Investigating Committee. Without the data that would permit the Sheriff to demonstrate the Department's use of and need for vehicles, it is an understandable reluctance on the part of the County legislature to appropriate monies for the additional vehicles requested by the Sheriff's Department. There are limitations in the value of an ex post facto study of vehicle use (e.g., tracing deputies' records and comparing them with mileage payments made). A more meaningful method would be the initiation of a vehicle-use study extended over a period of a few months to determine variations in assignments, related needs, seasonal use patterns and thus, the need for one or more additional vehicles. Part of this effort should focus on the most cost-effective method for meeting the agency's transportation needs, and attention should be directed toward models of vehicle acquisition other than the individual agency purchase pattern. For example:

- Would rental or leasing of some or all of the agency's vehicles on a yearly, seasonal, or daily basis be more cost-effective in meeting the Department's transportation needs?
- Would cooperative purchasing and maintenance on a countywide basis or in alliance with other police agencies save money?
- With the exception of prisoner transport (for which no major safety modifications have been made in the Department's vehicles), is there really a need for specially equipped,

agency-owned vehicles or would
some form of vehicle use contract
with deputies, including perhaps
increased liability insurance and
a flat yearly car-use payment, be
feasible and efficient?

APPENDIX A

Questions by the Investigating Committee on the Management
of the Sheriff's Department and the Sheriff's Responses.

CHESHIRE COUNTY COMMISSIONERS

COURT HOUSE - KEENE, NEW HAMPSHIRE 03431

TELEPHONE: 231-1111 AND 231-2021

September 9, 1975

George W. Schnyer, Sheriff
Cheshire County Court House
12 Court Street
Keene, New Hampshire

Dear George:

In order to better understand the operation of your department in connection with our review of your anticipated budget requests for the coming year, the Sheriff's Sub-Committee of the County Convention would appreciate receiving answers to the following questions:

1. Which papers received by your department for service come directly from attorneys, and which from the Clerk of Court?
2. What record is kept of the above papers?
3. Is a record of monies received and assignments to deputies kept in total or broken down by deputies?
4. How are mileage payments computed?
5. When do deputy sheriffs receive their mileage payments?
6. Does the Sheriff swear in each new deputy?
7. Is the Sheriff required to issue notice of appointments and if so, to whom?
8. Are deputy sheriffs bonded?
9. If a bond is issued, who pays for same?
10. Are salaried deputies full time employees?
11. What provision is made for automobile liability coverage when personal cars are used by Sheriff Department personnel?
12. What was the income for each deputy in 1974 broken down by:
 - A. Number of services, fees, and mileage
 - B. Number of days in court, fees and mileage
 - C. Number of investigations, fees and mileage
13. What Special Deputies were appointed in 1974 and 1975?
14. What are their duties?
15. What is the duration of their appointments?
16. Does the Sheriff receive mileage when he attends Crime Commission and State Prison Trustee Meetings?
17. Is there a job description and resume of qualifications for deputy sheriffs on file?

Since our committee is to report to the full Convention on Thursday, September 18th, your response to the above prior to that date is respectfully requested.

Very truly yours,

Sheriff Sub-Committee

W. Wells
W. Wells

Whitcomb Wells
Elmer H. Close

R-76-136

A-2

1. Which papers received by your department for service come directly from attorneys, and which from the Clerk of Court?
 - A. Civil papers from Attorneys, Criminal papers from Court
2. What record is kept of the above papers?
 - A. Sheriff's Docket is kept in the Sheriff's Office with all civil papers served recorded.
3. Is a record of monies received and assignments to deputies kept in total or broken down by deputies?
 - A. Records broken down by deputies.
4. How are mileage payments computed?
 - A. Round trip from office to destination & return.
5. When do Deputy Sheriffs receive their mileage payments?
 - A. System just started, for month of September will be paid the last of the month, thereafter payment will be twice a month.
6. Does the Sheriff swear in each new deputy?
 - A. Yes.
7. Is the Sheriff required to issue notice of appointments and if so, to whom?
 - A. See Chapter 104:3 - A sheriff may appoint so many deputies as he things proper, by deputation in writing, under his hand and seal, and not otherwise, who shall be sworn to the faithful discharge of their duties. The deputation and certificate of oath thereon shall be recorded at length by the clerk of the superior court in a book kept for that purpose, and no deputy shall act as such until the record is made.
8. Are deputy sheriffs bonded?
 - A. Yes. (27:2 & 4)
9. If a bond is issued, who pays for same?
 - A. County. (27:4)
10. Are salaried deputies full time employees?
 - A. Yes.
11. What provision is made for automobile liability coverage when personal cars are used by Sheriff Department personnel?
 - A. Each deputy pays for his own.
12. What was the income for each deputy in 1974 broken down by:
 - A. Number of services, fees, and mileage
 - B. Number of days in court, fees and mileage
 - C. Number of investigations, fees and mileage

A. This break down is a bit different than that requested, however includes amount paid. It would take some time to arrive at accurate figures for number of services, and to divide the mileage up between the three, (A.B.&C.) The records are in the office in the Sheriff's Docket for all civil papers served.

Court Attendance:

Deputy Sheriff Winham	106 days	
	1 night	\$2540.50
Deputy Sheriff Bonner	67 days	
	1 night at	
	Hinsdale Ct.	1634.00
Deputy Sheriff Dearth	17 days	
	1 night	472.50
Deputy Sheriff Smith	27 days	594.00
Deputy Sheriff Sweeney	6 days	157.00

Criminal Investigation:

Deputy Sheriff Winham	3833.00
Deputy Sheriff Bonner	7297.00
Deputy Sheriff Sweeney	5107.00
Deputy Sheriff Dearth	3510.00
Deputy Sheriff Rivard	22.00
Deputy Sheriff Fowler	594.00
Deputy Sheriff Smith	66.00
Deputy Sheriff Ryan	115.00

Svc. Civil Process

Deputy Sheriff Winham	6088.74	(731)	*
Deputy Sheriff Bonner	6084.45	(707)	*
Deputy Sheriff Sweeney	1071.54	(152)	*
Deputy Sheriff Dearth	1481.28	(212)	*
Deputy Sheriff Rivard	1059.41		
Deputy Sheriff Fowler	48.00		
Deputy Sheriff Smith	28.00		
Deputy Sheriff Ryan	632.00	(88)	*

Miscellaneous Papers served

Deputy Sheriff Winham	64.00
Deputy Sheriff Bonner	86.00
Deputy Sheriff Sweeney	47.00
Deputy Sheriff Dearth	64.00
Deputy Sheriff Fowler	4.00
Deputy Sheriff Smith	16.00
Deputy Sheriff Ryan	3.00

Mileage

Deputy Sheriff Winham	1852.70
Deputy Sheriff Bonner	2599.90
Deputy Sheriff Sweeney	314.00
Deputy Sheriff Dearth	231.00
Deputy Sheriff Rivard	69.40
Deputy Sheriff Fowler	19.80
Deputy Sheriff Smith	104.40
Deputy Sheriff Ryan	70.80

* Approximate number of writs, etc. handled, not number of services.

13. What Special Deputies were appointed in 1974 and 1975?

A. Humane Officer.

14. What are their duties?

A. (104:4) A sheriff may appoint a special deputy for the service and return of any process, by warrant indorsed thereon, in the manner heretofore practiced.

15. What is the duration of their appointments?

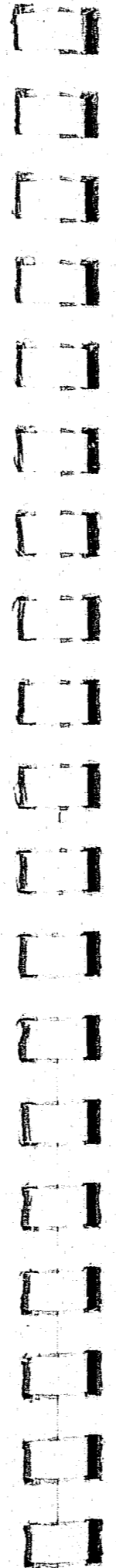
A. See 104:4

16. Does the Sheriff receive mileage when he attends Crime Commission and State Prison Trustee Meetings?

A. No.

17. Is there a job description and resume of qualifications for deputy sheriffs on file?

A. No.



APPENDIX B

Sheriff's Annual Report -- 1974

SHERIFF'S REPORT

To the Honorable Board of County Commissioners and
Citizens of Cheshire County:

As Sheriff of Cheshire County, I herewith submit my report for the year ending December 31, 1974

Investigations	
Alarms Answered	14
Assault	11
Attempted Suicide	5
Attempted Burglary	4
Attempted Theft	3
Breaking & Entering	17
Burglary	101
Criminal Mischief	23
Criminal Trespass	3
Disorderly Conduct	7
Domestic	6
Drug Investigations	4
Fires	6
Forgery	6
Fraud	3
Harassment	3
Larceny	59
Larceny of Motor Vehicle	2
Missing Persons	5
Morals Complaints	8
Suspicious Persons	4
Threats	3
Worthless Checks	26
Miscellaneous	150
Sudden Deaths	42
Juvenile Respondents	10
Minors to Industrial School	6
Patients to State Hospital	13
Arrests	
Assault	4
Attempted Burglary	1
Bench Warrant	1
Breaking & Entering	1
Burglary	11
Contempt of Court	15
Criminal Mischief	14
Criminal Threatening	1
Criminal Trespass	1
Escape	4
Failure to Obtain Vendor's License	2
Forgery	6
Fugitive from Justice	13
Hit & Run	1
Issuing Bad Check	4
Larceny	5
Larceny by Check	1
Mittimus	6
Possession of Controlled Drugs	2
Rape	1

CHESHIRE COUNTY REPORTS

Receiving Stolen Property	51
Robbery	2
Taking Without Authority	4
Traffic Violations	1
Violation of Probation	2
Violation of Unemployment	3
	1

The following is an Account of Expenses for Superior Court Sessions for 1974.

JANUARY TERM 1974

Deputy Sheriff Ralph R. Winham	
Court Attendance 38 days @ \$22.00	\$836 00
Mileage, 32 mi. per day, 38 days @ \$3.20	121 60
One meal per day, 37 days @ \$2.00 (1 day out for Jury dinner)	74 00
	<hr/>
	\$1,031 60

Deputy Sheriff Robert L. Bonner	
Court Attendance 13 days @ \$22.00	\$286 00
Mileage, 14 mi. per day, 13 days @ \$1.40	18 20
One meal per day, 13 days @ \$2.00	26 00
	<hr/>
	330 20

Deputy Sheriff William F. Smith	
Court Attendance 27 days @ \$22.00	\$594 00
Mileage, 36 mi. per day, 27 days @ \$3.60	97 20
One meal per day, 26 days @ \$2.00 (1 day out for Jury dinner)	52 00
	<hr/>
	743 20

APRIL TERM 1974

Deputy Sheriff Ralph R. Winham	
Court Attendance 29 days @ \$22.00	\$638 00
Court Attendance 8 days @ \$27.00	216 00
Mileage, 32 mi. per day, 37 days @ \$3.20	118 40

CHESHIRE COUNTY REPORT:

One meal per day, 34 days @ \$2.00	68 00
(3 days out for Jury dinner)	

1,040 40

Deputy Sheriff Robert L. Bonner	
Court Attendance 23 days @ \$22.00	\$506 00
Court Attendance 9 days @ \$27.00	243 00
Mileage, 14 mi. per day,	
32 days @ \$1.40	44 80
One meal per day, 29 days @ \$2.00	58 00
(3 days out for Jury dinner)	

851 80

Deputy Sheriff Lawrence G. Sweeney	
Court Attendance 1 day @ \$22.00	\$22 00
Court Attendance 1 day @ \$27.00	27 00
Mileage, 30 mi. per day,	
2 days @ \$3.00	6 00
One meal per day, 2 days @ \$2.00	4 00

59 00

SPECIAL SESSION JUNE 25, 1974

Deputy Sheriff Ralph R. Winham	
Court Attendance 1 day @ \$27.00	\$27 00
Mileage, 32 mi. per day,	
1 day @ \$3.20	3 20
One meal per day, 1 day @ \$2.00	2 00

32 20

SPECIAL SESSION JUNE 27, 1974

Deputy Sheriff Ralph R. Winham	
Court Attendance 1 day @ \$27.00	\$27 00
Mileage, 32 mi. per day,	
1 day @ \$3.20	3 20
One meal per day, 1 day @ \$2.00	2 00

32 20

SPECIAL SESSION SEPTEMBER 5, 1974

Deputy Sheriff Ralph R. Winham		
Court Attendance 1 day @ \$27.00	\$27 00	
Mileage, 32 mi. per day,		
1 day @ \$3.20	3 20	
One meal per day, 1 day @ \$2.00	2 00	
		32 20

32 20

SPECIAL SESSION SEPTEMBER 6, 1974

Deputy Sheriff Ralph R. Winham		
Court Attendance 1 day @ \$27.00	\$27 00	
Mileage, 32 mi. per day,		
1 day @ \$3.20	3 20	
One meal per day, 1 day @ \$2.00	2 00	
		32 20

32 20

SEPTEMBER TERM 1974

Deputy Sheriff Ralph R. Winham		
Court Attendance 27 days @ \$27.00	\$729 00	
Court Attendance 1 night @ \$13.50	13 50	
Mileage, 32 mi. per day,		
27 days @ \$3.20	86 40	
One meal per day, 25 days @ \$2.00	50 00	
(2 days out for Jury dinner)		
		878 90

878 90

Deputy Sheriff Robert L. Bonner		
Court Attendance 22 days @ \$27.00	\$594 00	
Mileage, 14 mi. per day,		
22 days @ \$1.40	30 80	
One meal per day, 22 days @ \$2.00	44 00	
		668 80

668 80

Deputy Sheriff Warren W. Dearth		
Court Attendance 17 days @ \$27.00	\$459 00	
Court Attendance 1 night @ \$13.50	13 50	
Mileage, 2 mi. per day,		
17 days @ \$.20	3 40	
One meal per day, 15 days @ \$2.00	30 00	
2 days out for Jury Dinner		
		505 90

505 90

Deputy Sheriff Lawrence G. Sweeney		
Court Attendance 4 days @ \$27.00	\$108 00	
Mileage, 30 mi. per day,		
4 days @ \$3.00	12 00	
One meal per day, 4 days @ \$2.00	8 00	
		128 00

128 00

\$6,366 60

Respectfully submitted,
 GEORGE W. SCHNYER,
 Sheriff

APPENDIX C

Sheriff's Annual Report -- 1975

SHERIFF'S REPORT

To the Honorable Board of County Commissioners and Citizens
of Cheshire County:

As Sheriff of Cheshire County, I herewith submit my report
for the year ending December 31, 1975.

Investigations:

Abusive Language	1
Accidental Shooting	1
Aggravated Assault	3
Alarms Answered	27
Animal Complaints	6
Anonymous Telephone Calls	4
Arson	1
Assault	3
Attempted Burglary	4
Attempted Suicide	2
Burglary	100
Contributing to Delinquency	2
Criminal Mischief	24
Criminal Threatening	2
Disturbing the Peace	1
Domestic	10
Drugs	3
Fires	1
Forgery	5
Fraud	2
Harassment	2
Homicide	1
Miscellaneous	
Missing Persons	6
Rape	1
Reckless Conduct	3
Robbery	1
Run-A-Ways	3
Sexual Assault	1
Suspicious Persons	2
Theft	47
Trespassing	1
Try to Locate	5
Unauthorized Taking of Motor Vehicle	1
Unauthorized Transfer	1
Worthless Checks	20
Sudden Deaths	42
Juvenile Respondents	4
Minors to Youth Development Center	13
Patients to State Hospital	22

Arrests

Assault	3
Attempted Fraud	1
Burglary	10
Capias - Habitual Offender	1
Capias - Non Support	26
Criminal Liability	1
Criminal Mischief	2
Criminal Threatening	1
Criminal Trespass	1
Default	4
Drunk	1
Escape	8
Failure to Appear	3
Forgery	2
For Other Counties	1
Fraud	2
Fugitive From Justice	3
Indictment	7
Issuing Bad Check	5
Mittimus	6
Rape	1
Receiving Stolen Property	6
Theft	10
Theft by Deception	3
Unauthorized Use of Motor Vehicle	4
Violation Court Order	5
Violation Probation	5
Violation Restraining Order	5
Violation Unemployment	13

The following is an Account of Expenses for Superior Court Sessions for 1975.

January Term 1975

Deputy Sheriff Ralph R. Winham			
Court Attendance 15 days @ \$27.00		\$405.00	
Mileage, 32 mi. per day, 15 days @ \$3.20		48.00	
One meal per day, 14 days @ \$2.00		28.00	
(One day out for Jury dinner)			\$ 481.00
Deputy Sheriff Robert L. Bonner			
Court Attendance 16 days @ \$27.00		432.00	
Mileage, 14 mi. per day, 16 days @ \$1.40		22.40	
One meal per day, 16 days @ \$2.00		32.00	486.40
Deputy Sheriff Lawrence G. Sweeney			
Court Attendance 12 days @ \$27.00		324.00	
Mileage, 30 mi. per day, 12 days @ \$3.00		36.00	
One meal per day, 11 days @ \$2.00		22.00	
(One day out for Jury dinner)			382.00

Deputy Sheriff Warren W. Dearth			
Court Attendance 16 days @ \$27.00	\$432.00		
Mileage, 2 mi. per day, 16 days @ \$.20	3.20		
One meal per day, 16 days @ \$2.00	<u>32.00</u>		467.20

April Term 1975

Deputy Sheriff Ralph R. Winham			
Court Attendance 37 days @ \$27.00	999.00		
Mileage, 32 mi. per day, 37 days @ \$3.20	118.40		
One meal per day, 36 days @ \$2.00	<u>72.00</u>		1189.40
(One day out for Jury dinner)			

Deputy Sheriff Robert L. Bonner			
Court Attendance 16 days @ \$27.00	432.00		
Mileage, 14 mi. per day, 16 days @ \$1.40	22.40		
One meal per day, 15 days @ \$2.00	<u>30.00</u>		484.40
(One day out for Jury dinner)			

Deputy Sheriff Lawrence G. Sweeney			
Court Attendance 10 days @ \$27.00	270.00		
Mileage, 30 mi. per day, 10 days @ \$3.00	30.00		
One meal per day, 10 days @ \$2.00	<u>20.00</u>		320.00

Deputy Sheriff Warren W. Dearth			
Court Attendance 22 days @ \$27.00	594.00		
Mileage, 2 mi. per day, 22 days @ \$.20	4.40		
One meal per day, 22 days @ \$2.00	<u>44.00</u>		642.40

Special Session August 13, 1975

Deputy Sheriff Ralph R. Winham			
Court Attendance 1 day @ \$40.00	40.00		
Mileage, 32 mi. per day, 1 day @ \$8.00	8.00		
One meal per day, 1 meal @ \$2.00	<u>2.00</u>		50.00

Deputy Sheriff Robert L. Bonner			
Court Attendance 1 day @ \$40.00	40.00		
Mileage, 14 mi. per day, 1 day @ \$3.50	3.50		
One meal per day, 1 meal @ \$2.00	<u>2.00</u>		45.50

Deputy Sheriff George E. Schnyer			
Court Attendance 1 day @ \$40.00	40.00		
Mileage, 2 mi. per day @ \$.25	.50		
One meal per day, 1 meal @ \$2.00	<u>2.00</u>		42.50

\$4590.80

Respectfully submitted,

George W. Schnyer, Sheriff

APPENDIX D

Application -- Cheshire County Sheriff's Department

APPLICATION

CHESHIRE COUNTY SHERIFF'S DEPT.

Date _____

Name in Full _____

Home Address _____

Telephone Number _____

Date of Birth _____

Place of Birth _____

Height _____ Weight _____

Single Married Divorced Widowed Separated

How many children have you _____

Are you willing to have your present employer asked about your work _____?

Name and Address of Present Employer _____

Position Held _____

Name and Address of Prior Employer _____

Position Held From _____ To _____

Social Security Number _____

Are you a Citizen of the United States _____

Do you possess a license to operate a motor vehicle _____

Type - Motorcycle Commercial Operator

Have you served in the United States Armed Services _____

Branch _____

Type of Discharge _____

APPENDIX E

State of New Hampshire Appointment Form for Deputy Sheriffs

State of New Hampshire

To all to whom these presents may come, GREETING:

KNOW YOU, that I, _____ Sheriff of the County of
Cheshire, by virtue of the authority in me vested by the laws empowering
Sheriffs to appoint Deputies in said office, do hereby constitute and appoint
_____ of _____

in the County of _____ a Deputy Sheriff in and for the County of Cheshire, with
full power to serve and execute, according to law, all writs, precepts or processes of what nature and kind
soever and coming from lawful authority. And the said _____
is hereby fully empowered to do and perform all other matters and things whatsoever which a Deputy
Sheriff may or ought by law to do and perform.

TO HAVE AND TO HOLD said office of Deputy Sheriff, with all the power and authority there-
unto appertaining, during my pleasure. And I do hereby enjoin upon all good citizens of the County of
Cheshire, aforesaid, to aid and assist the said _____
in the due and legal discharge of said office.

Given under my hand and seal, at Keene, in said County of Cheshire, this _____
day of _____ in the year of our Lord one thousand nine hundred and _____

Sheriff.

I, _____ do solemnly swear that I will bear faith and true allegiance
to the State of New Hampshire, and will support the Constitution thereof. So help me God.

I, _____ do solemnly and sincerely swear and affirm that I will faith-
fully and impartially discharge and perform all the duties incumbent upon me as Deputy Sheriff, according to
the best of my abilities, agreeably to the rules and regulations of the Constitution and Laws of the State of
New Hampshire. So help me God.

SS, _____ 19____

Personally appeared _____ and took and subscribed the oath of
allegiance and the oath of office. Before me,

Justice of the Peace.

CHESHIRE, SS.—Recorded this _____ day of _____ 19____

Attest:

Clerk of the Superior Court.

CONTINUED

1 OF 2

APPENDIX F

Permission to Search Form

PERMISSION TO SEARCH

I, _____, have been informed by
_____ and _____

who made proper identification as (an) authorized law enforcement
officer(s) of the _____

of my Constitutional Right not to have a search made of the premises and
property owned by me and/or under my care, custody and control, without
a search warrant.

Knowing of my lawful right to refuse to consent to such a search, I will-
ingly give my permission to the above named officer(s) to conduct a
complete search of the premises and property, including all buildings
and vehicles, both inside and outside of the property located at _____

The above said officer(s) further have my permission to take from my
premises and property, any letters, papers, materials or any other prop-
erty or things which they desire as evidence for criminal prosecution in
the case or cases under investigation.

This written permission to search without a search warrant is given by
me to the above officer(s) voluntarily and without any threats or
promises of any kind, at _____ M. on this _____ day of _____
19____, at _____.

Signature

Witness _____

Address _____

Witness _____

Address _____

APPENDIX G

Consent to Search Form

CONSENT TO SEARCH

I, _____, having been informed of my constitutional right not to have a search made of my premises without a search warrant and of my right to refuse to consent to such a search, do hereby authorize _____ and _____ WHO have identified themselves to me as law enforcement officers, to conduct a complete search of my premises situate at _____. They are also authorized to remove any letters, papers, materials or other property which they may desire, and I understand that anything discovered may be used against me in a criminal proceeding.

This consent to search has been given by me voluntarily and without threats or promises of any kind.

Witnesses

APPENDIX H

Identification Record

APPENDIX I

Warning and Consent Form

WARNING AND CONSENT

Warning As To Your Rights

Before we ask you any questions, you must understand what your rights are.

You have the right to remain silent.
Anything you say can be used against you in court.
You have the right to talk to a lawyer for advice before we question you and to have him with you during questioning.
If you cannot afford a lawyer and want one, a lawyer will be provided for you.
If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

Consent to Speak

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signature

Date and hour: _____

CERTIFICATION

I Hereby Certify that the foregoing Warning and Consent were read by me to the above signatory, that he also read it and has affixed his signature hereto in my presence.

Sheriff Signature

Witness Signature

APPENDIX J

The State of New Hampshire Superior Court
Rules and Regulations for Bailiffs -- August 1974

The State of New Hampshire

Superior Court

RULES AND REGULATIONS

FOR

BAILIFFS

August 1974

R-76-136
J-2

Section I

GENERAL INFORMATION

1. The bailiff is subject to the rules and regulations set forth herein; however, any of these rules may be modified by the Presiding Justice. In addition, the Presiding Justice may, at his discretion, add to these rules and regulations.

2. The conduct and the demeanor of a bailiff, both in court and in private life, should be such that in no way will his actions or speech reflect adversely upon the integrity of his office or upon the Court. He should always conduct himself in a dignified manner, at the same time being courteous and cooperative, applying himself diligently to assist in the smooth performance of the Court's function. Where his official duties permit, he should assist the court clerk, court reporters, and attorneys in such activities as procuring files, exhibits, and law books from the appropriate offices of the courthouse. Where his official duties permit, he should also assist witnesses, litigants, and the public by answering questions about general courtroom procedures and giving information of a general nature. He should not attempt to give legal advice or to discuss the merits of cases.

3. The bailiff should maintain a pleasant disposition in his contact with persons in the courtroom. In this regard he should be careful not to associate excessively during trials with attorneys, litigants, or witnesses (such as former law enforcement associates). Friendly conversations during the trial of a case may be easily misunderstood by others and there are instances where litigants or the public suspect that an attorney or party exerts influence upon the Court through the bailiff. Bailiffs, therefore, should not fraternize excessively with the attorneys, litigants or witnesses.

4. The bailiff should present a neat and pleasant appearance during duty hours.

5. The bailiff should at all times be alert, attentive, and in uniform.

6. If a bailiff has any questions, he should submit them to the Clerk.

7. The persons serving as bailiff do so as officers of the Court and not as Deputy Sheriffs or in any other capacity. They are subject to the order of the Court and serve at the pleasure of the Court.

8. The bailiff should not advise counsel on the qualifications or background of any juror nor express any opinion as to the competency of any juror.

9. Once a bailiff has been assigned to a courtroom he should not be assigned elsewhere without the approval of the Presiding Justice of that courtroom.

10. All bailiffs shall be presumed to have read these rules and regulations and they shall review them from time to time, particularly at the start of each term.

11. The High Sheriff shall submit a list of all bailiffs who are to serve during the term to the Presiding Justice on the opening day of the term. The submission of a bailiff's name shall be construed as an acknowledgment that the bailiff has read and understands these rules and regulations.

Section II

COURTROOM MAINTENANCE

1. The bailiff shall see to it that the courtroom is opened, neat, clean, properly heated and lighted, and properly equipped.

2. The bailiff shall see to it that the doors of the courtroom should remain closed unless otherwise ordered by the Court.

3. The bailiff shall see to it that no calendars or advertising material of any type should be displayed in the courtroom.

4. The bailiff shall see to it that the supplies are checked. Water carafes and glasses should be supplied for the Court and counsel. It is suggested that when possible ice water should be available for the Presiding Justice at all times and for counsel when trial is in progress. Pencils and note pads should be available in the event that counsel requests them.

5. The bailiff should make certain that the chalkboard, erasers and chalk are available, and that the x-ray viewbox is so situated that in the event of its use it can be visible to the jury.

Section III

COURTROOM SECURITY

1. In the courtroom it is the duty of the bailiff to protect the Court, to guard the defendant, and in criminal cases to prevent the escape of prisoners.

2. The bailiff should prevent litigants and witnesses in a trial or hearing, other than court personnel, from entering or remaining in the Presiding Justice's chambers during the course of the trial or hearing, unless requested by the Presiding Justice. This includes reception rooms, rest rooms, offices, and corridors adjacent thereto.

3. The bailiff should be armed at all times while in the courtroom, and in any case in which there is any reason to believe that there is a potentiality of danger to the Court there should be two or more bailiffs in attendance. Further, if there is a case in which there are a number of defendants on trial, there should be two or more bailiffs in attendance.

4. The bailiff should inform the Court of any information from whatever source that he has which relates to the possibility of violence in the courtroom.

5. If any person enters the courtroom who the bailiff either knows or believes may be violent, he shall discreetly notify the Court by a note so that the Presiding Justice may take appropriate action.

6. During hearings on domestic cases or other cases where emotions often run high (e.g. contempt of court hearings for violation of support orders) the bailiff should position himself in the courtroom so that he can readily reach the witness stand in case of disturbance.

Section IV

OPENING COURT

1. The bailiff should make certain that the parties and their attorneys and the court stenographer are in the courtroom before opening court. In addition, he should make certain that everyone is standing quietly and not moving while Court is opened. The bailiff should open Court by stating: "Ladies and gentlemen, please rise."

2. Once the Presiding Justice is seated, the bailiff

should make an appropriate statement such as, "Please be seated," or "The Honorable Court."

Section V

CONDUCT DURING COURT PROCEEDINGS

1. It is the responsibility of a bailiff to preserve order in the courtroom during a trial, and during recesses of the trial. In particular, if someone in the audience is noisy, or is otherwise misbehaving, the bailiff should take care of the situation discreetly, without waiting for instructions from the Court.

2. The bailiff shall not permit the taking of photographs in the courtroom, nor the unofficial electronic recording of the proceedings unless authorized by the Presiding Justice.

3. The bailiff should not allow anyone to enter or leave the courtroom during final arguments of the lawyers or during the Presiding Justice's charge to the jury.

4. The bailiff should unobtrusively direct witnesses as to how to get to the witness stand, if there is any problem.

5. The bailiff should provide proper safeguards where necessary on a view, such as on a busy highway.

6. If someone is improperly attired and enters the courtroom, the bailiff should so advise them. If someone is improperly seated, he should so advise them. The bailiff should not allow any spectator to stand in the courtroom or any of its entrances, other than momentarily.

7. The bailiff should not permit anyone to enter into the "well" of the courtroom except litigants, attorneys or witnesses when called to testify.

8. The bailiff should not allow smoking, newspaper reading or any other undignified informality in the courtroom.

9. The bailiff should be prepared to aid, if directed by the Court, an attorney or witness in the display of charts, maps, etc.

10. Should urgent telephone calls or messages arrive, they should be conveyed by the bailiff to the Court, or to counsel as unobtrusively as possible, such as by delivery of a written note.

11. The bailiff should not permit infants or young

children to enter the courtroom without the approval of the Presiding Justice.

12. Once a defendant has been sentenced in a criminal case, the bailiff should expeditiously remove the defendant from the courtroom unless otherwise ordered by the Presiding Justice.

13. The bailiff should not leave the courthouse at the end of the day without obtaining the permission of the Presiding Justice. The bailiff may inquire of the Clerk if his presence is desired and the Clerk will consult with the Presiding Justice.

Section VI

RELATIONS WITH JURORS

A. Juror's Appearance and Decorum.

1. The bailiff should discreetly advise jurors who are not well-dressed to rectify the situation. Men jurors should wear suit coats or jackets and neckties. Women should wear dresses, skirts and blouses or pant suits.

2. When jurors are in attendance at court, the bailiff should see to their proper decorum and provide for their reasonable comfort and conveniences.

B. Juror's Arrival at Court.

1. When the jurors arrive, the bailiff shall see that they are directed immediately to the jury assembly room and that the jurors are not permitted to be in the same general vicinity with the litigants, witnesses, and counsel.

2. The bailiff should take the attendance of jurors in the morning, and in the afternoon, and report any absences to the Clerk. He should, prior to when a jury is to be drawn, when requested by the Clerk, remove the names of absent jurors from the jury box.

C. Juror's Conduct During Proceedings.

1. The bailiff should keep an eye on the jury while the trial is in progress; and if he finds any jurors who are whispering, he should discreetly indicate to them that they should not do so, and should speak to them during the next recess.

2. The bailiff should not discuss a case with a juror either before, during or after a trial; this includes listening to statements made by jurors with reference to the case.

3. Prior to the beginning of the trial, the bailiff should arrange, after conferring with counsel, the seating arrangements in the courtroom. When requested, the bailiff should assist in procuring files or law books from other official offices in the courthouse.

4. After a jury has been selected and sworn, the bailiff should make certain that each juror is in the same chair in the jury box that they occupied when the jury was sworn.

5. The bailiff should determine that the entire jury is in the box and that counsel, the parties, and court personnel are in their proper places, before the Presiding Justice enters the courtroom at any time.

6. Frequently during the course of a trial, witnesses are excluded from the courtroom. Under such circumstances the bailiff should station himself at the rear of the courtroom so that he may be readily available to call witnesses and direct them to the Clerk so that they may be sworn.

D. Jurors' Deliberations.

1. If, during deliberation, or at any other time, the jury wants to ask the Presiding Justice a question, the bailiff should have the foreman reduce the question to writing, and the bailiff should then deliver it to the Court.

2. The bailiff should make every effort to avoid listening to the jury when it is deliberating. He should keep all persons, including himself, at a discreet distance from the jury room. If any information is accidentally overheard, he should tell no one nor comment on what he has heard.

3. When the jury is deliberating, it is the duty of the bailiff to prevent anyone from communicating with the jury.

4. When a jury is sequestered, it is the duty of the bailiff to make certain that the jury room, or any quarters to which they may be confined, be free from improper magazines, periodicals, newspapers, literature, telephones, radios, televisions, or other outside influences. At the same time, it is the duty of the bailiff to make certain that the jury quarters are properly equipped with pencils, papers, and all those things that are usually needed by jurors. The jury should not deliberate in a room where law books are available.

5. When the jury is taken to the jury room, it is the responsibility of the bailiff to be in charge of the exhibits,

which the Court has directed they may take to the jury room.

6. If any juror asks any question of the bailiff relating to the case, it is the duty of the bailiff to refrain from answering. In the event that there are messages to be delivered to the Court, from the jury, it is the duty of the bailiff to so deliver them. The bailiff should at no time assume the obligation of answering any such messages or requests, or to inject himself into an advisory position with the jury.

7. If during the course of jury deliberations it becomes necessary for the jurors to convey messages to their homes, it is the duty of the bailiff to make those telephone calls or deliver those messages, and not to permit the jurors to make them directly.

8. It is also the duty of the bailiff to prevent (insofar as is humanly possible) conversations between the jurors and outsiders. Greetings and salutations, of course, cannot be prevented. Conversations, repartee and joking remarks, although pleasant, must be prohibited.

9. It is the duty of the bailiff to make certain that restrooms and toilets that are used by the jurors are unoccupied and private from persons who might talk to jurors.

10. It is the duty of the bailiff to arrange for purchasing of tobacco, candy, and supplies that the jurors might need.

11. When the jury is held overnight, it is the duty of the bailiff to arrange accommodations (after consultation with the Presiding Justice) for the jury, and in this connection it is the duty of the bailiff to notify the family of the jurors regarding their overnight service, and to arrange for all special circumstances. In the event that a jury is sequestered in a hotel, particularly in a criminal case, it is necessary that all room radios, televisions, and telephones are removed or disconnected. If a common meeting room is provided for the jurors, the bailiff must make certain that television programs or radio programs are monitored to the end that no outside information gets to the jury concerning the matters subject to their decision. Under no circumstances should messages be delivered to the jurors unless ordered by the Court.

12. When the jury reports that it has reached a

decision, the bailiff should not under any circumstances disclose that verdict (if he learns of it) to anyone until that verdict has been returned into open court, and publicly announced.

13. The bailiff should not enter the jury room, nor should he, under any circumstances, permit the jurors outside of the jury room to discuss the case in his presence.

14. In civil actions, the bailiff should deliver the verdict envelope directly to the Presiding Justice and no other person should be allowed to see it.

15. Ordinarily a jury will not be kept together for meals unless they have been sequestered or the case has been submitted to them. When a meal is to be served to a jury as a group, arrangements should be made by the bailiff. It is wise, where possible, to make these arrangements in advance, to arrange that the jurors may order from a pre-arranged menu, and to arrange for payment at a later date by the bailiff signing the check in the name of the county.

16. Meals or snacks should not be brought in to a jury unless specifically ordered by the Presiding Justice and once he has ordered that a jury be taken out for a meal, this order should not be changed or altered, except by the Presiding Justice.

Section VII

DISQUALIFICATION OF BAILIFF

1. If a deputy has participated in the investigation of a case, or if a deputy may appear as a witness in a case, he should not act as bailiff, without first obtaining permission from the Presiding Justice.

Section VIII

RELATIONS WITH PRESS AND VISITORS

1. Oftentimes during the progress of a trial, the Courts are visited by students of a class from a local high school or college. As soon as it can be determined that such is the case, the bailiff will secure from the instructor accompanying the class, his name, the name of the class, and the name of the

school. This information will then be relayed to the Presiding Justice.

2. Personal callers for the Presiding Justice will be handled in the same manner as telephone calls for the Presiding Justice. The bailiff will secure the name of the caller and the general nature of his business with the Presiding Justice and then notify the Justice of the caller.

3. The bailiff should under no circumstances answer questions from the press as to any matter before the Court. If such questions are asked, the members of the press should be referred to the Clerk of Court. However, the bailiff may inform members of the press of such routine matters as the time that the Court is to open, the name of the case that is pending before the Court, the name of the Presiding Justice, the names of attorneys involved in the action, and similar routine factual matters. However, there should be no discussion of the evidence of the case, and particularly, no discussion as to the bailiff's judgments about the case and to the jurors' reactions to the evidence insofar as the bailiff may be aware.

4. If any member of the press desires to see the Presiding Justice, the matter will be referred to the Clerk, and in no event should the member of the press be directed to chambers of the Presiding Justice without the prior express permission of the Presiding Justice.

END