

MESSAGE

from the President

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NDAA's Sunshine Act

I NEVER THOUGHT OR DREAMED that I would be president of NDAA. When I was asked to be the New Hampshire State Delegate, I was honored to represent my state. When I arrived at my first Board meeting in Spokane, I did not know a soul at the meeting. I was fortunate enough to meet Paul Logli and Josh Marquis in the lobby as they discussed Media Relations. It struck me that important things were being discussed and debated at NDAA.

I attended a new member's breakfast with others new to the Board. But it did not quell my anxiety about being over my head by being on the Board. As an aside, I can say that I met other new members that became and remain friends to this day. I suspect that they felt the same way that I did at the breakfast. Little did I know how being on the Board would change the direction of my life in so many ways.

I became fast friends with many of the Board members as we discussed national issues. I continued to be impressed with the caliber of my colleagues and the discussions that occurred around the table. In spite of differences of opinion, region and party, the discussion and, at times, arguments, were civil, respectful and friendly. Maybe this is the type of debate that the public yearns for in our national politics.

As I became acclimated to the Board and my new friends and colleagues, I realized that it was a time of great change taking place at NDAA. There were discussions about changes in the organization including transparency, accountability and being more responsive to our fellow DAs and the public. Being argued was the necessity of being more nimble as an organization, so we could respond to the challenges facing law enforcement.

Soon Paul Logli became president and asked me to serve on his Executive Committee, which I agreed to do. At our first meeting in Galena, IL, we learned from the executive director that a former bookkeeper had probably stolen money from NDAA. The Executive Committee had to formulate a plan of action immediately. Needless to say, it was the entire topic at the Executive Committee meeting. Ultimately, it was clear that over \$400,000 was taken. This was a foreshadowing of things to come.

Later that year, Paul Logli called and asked me to become treasurer because he was on the Nominating Committee and the current treasurer, Joe Cassilly, was term limited. He called because I had attended Finance Committee meetings. Again, no good deed goes unpunished. I told him I would be happy to serve in what appeared to be a straight forward position. I should have called Joe first.

As I became treasurer, I asked for a listing of accounts and their balances in order to have a starting place for my service. I got a song and dance and no answers. The duties of the position seemed to overwhelm the request and I did not get an answer for quite a while. I now kick myself for not pushing harder earlier.

The real answer came when the independent auditor's report was filed with NDAA and it outlined how far off track the financial reports actually were. The Executive Committee set goals and parameters for the administration to resolve the issues. This included hiring a company to fix the financial reporting. As that company began its task and asked questions about the

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financial reporting, the new accountant walked out.

It then became clear that not only was the reporting flawed, but the actual state of the finances was dis-integrating. There were many telephone conferences with the accountants and Executive Committee to right the ship and find out how bad things were. Another plan of action was devised to fix the problems, but they were ignored by the administration.

Reluctantly, the Executive Committee decided that an extremely “hands on” approach was necessary in order to resolve the problems. A series of pointed and detailed targets were set for the executive director to implement and accomplish. He chose to resign.

Jim Fox spent most of his presidency fighting to keep the organization afloat as I detailed in Board meetings the information, as depressing as it was, that

we learned about the true state of the finances and the reporting systems. We dealt with another depressing audit and began to right the ship. We still have a way to go but “the future is so bright that I have to wear shades.”

(A huge lesson should be learned by all Board members that they need to stay engaged, ask questions and get involved in solutions because you/we cannot wait for others to do so. Get engaged, stay engaged.)

So after this tortured journey, I take over the reigns of NDAA as your president feeling very humbled about the work that we have yet to do. There are many challenges.

We face NAC funding fights, the Webb Commission, the NAS study and other issues yet to raise their heads. Nonetheless, I look forward to the future and its challenges because I know that a strong, diverse and energetic group of prosecutors and prosecutor coordinators “have my back.” I will be calling upon all of you to help lead us into the future. And don’t forget to buy shades.

Capital Perspective

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Webb and Rep. Delahunt’s staff continue to be willing to participate in a conference call to answer any questions our membership has regarding the bill. If this is something you are interested in participating in, please feel free to contact me at anytime and I will be more than happy to make the necessary arrangements.

NAS/Forensics Reform. NDAA continues to work closely with Senate Judiciary staff and stakeholder groups on the formulation of a comprehensive forensics reform bill. A bill is currently being written in the Senate and preliminary discussions have begun in the House. No hearings have been scheduled to date and no bill has been introduced. Many insiders believe that forensics reform could be an amendment to the Department of Justice Reauthorization bill, which could be introduced as early as January 2011.

Kagan Supreme Court Nomination. After what turned out to be a rather dull week of hearings analyzing the past work of Supreme Court Associate Justice Nominee and current U.S. Solicitor General Elena Kagan, the Senate will remain in session one week longer than the House to designate floor time for her nomination. After passing out of the Senate Judiciary Committee favorably on a largely party-line vote, with Senator Lindsey Graham as the only Senate Republican to vote in favor of Solicitor Kagan, it is expected that Solicitor Kagan will be confirmed by the Senate in a largely partisan fashion. Expect her vote total to be in the low-to-mid 60s.

A lot has been happening on the Hill of importance to NDAA and we continue to work hard on your behalf. As always, we will keep an ear to the ground on all issues important to NDAA and America’s state and local prosecutors and will update each of you as needed. If you have any questions, please feel free to reach out to me at any time by phone (703.447.1306) or e-mail (jbaker@ndaa.org). Thanks again for all that you do for America.