

City of Claremont, New Hampshire

Position Description

Position Titled:	Police Attorney Prosecutor	Union/Merit:	Merit Plan
Reports to:	Police Chief	Grade Level-Points:	10
Department:	Police	Revised/Updated:	10/06/06
FLSA Status:	Exempt		

Job Summary

The incumbent serves as Prosecutor in the Police Department's Criminal Division. The incumbent is responsible for assisting in the investigation of felonies, thefts, burglaries; juvenile crimes etc.; gathers and preserves evidence; detecting and arresting criminals and recovering lost or stolen property.

Under policy direction, acts as the Police Department Prosecutor. Directs the Police Department's prosecutorial services and is a liaison between the Claremont Police Department and the Sullivan County Attorney's office.

Responsibilities include assisting in the coordination of the Department's Accreditation process through the New Hampshire Police Standards and Training Council and the Commission for Accreditation of Law Enforcement Agencies. Additionally, the incumbent will assist in seeking, writing and administering Law Enforcement grants.

Guidelines include Federal and State Constitutions, New Hampshire laws, City by-laws, contract between City and Police Union, court regulations, Department regulations, and the Commission for Accreditation of Law Enforcement Agencies' guidelines.

The Police Attorney Prosecutor is subordinate only to the Chief as the final technical authority within the department on all issues relative to prosecution. As such, the incumbent of this position will maintain the Chain of Command Rank of no less than a Lieutenant.

Essential Job Functions (Except as specifically noted, the following functions are considered essential to this position. The listed examples may not include all duties found in this class)

GENERAL DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Police Attorney Prosecutor to:

1. Render legal opinions to the Chief of Police and Division Commanders on criminal investigations and prosecutions as requested.
2. Analyzes legislation and New Hampshire and United States Supreme Court decisions affecting Law Enforcement and the Claremont Police Department.

Page 1 of 7

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City of Claremont, New Hampshire Position Description

3. Prepares legislation, warrants, complaints and other legal documents.
4. Reviews the legality or sufficiency of complaints, affidavits, warrants, and criminal investigation reports.
5. Attends Police Department Staff meetings and various committee meetings as required and renders legal advice on matters on the agenda.
6. Prosecutes criminal violators or city or state laws in the Claremont District Court and acts as a liaison between the Claremont Police Department, the Sullivan County Attorney's Office and the New Hampshire Attorney General's Office.
7. Supervises and reviews the work of subordinates. As such, will maintain a minimum Chain of Command Rank of Lieutenant.
8. Researches, interprets, and applies laws, court decisions, and other legal authority in the preparation of opinions, briefs, complaints, warrants, affidavits and reports.
9. Assists in the planning and organization of the accreditation process, as well as law enforcement grants. Assists the Chief of Police with matters relative to accreditation.
10. Reviews activities through reports prepared by subordinate officers, conferences with personnel, and on-site inspections and coordinates function with other departmental personnel.
11. Participates in departmental policy making and assists Chief in drafting written directives.
12. Assists in seeking, writing and coordinating grants for special projects and/or purchases within the Department.
13. Consistent with the duties of a Police Officer, must have the ability to use a firearm and make forcible arrests.
14. Must have clear, understandable speech.
15. Assists, or may act as, the Department Accreditation Coordinator for purposes of achieving accreditation under the Commission for Accreditation of Law Enforcement Agencies, the Northern New England Police Accreditation Council and the New Hampshire Police Standards and Training Council.

Page 2 of 7

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16. Assists in evaluating employee performance to insure that all personnel are receiving adequate training to accomplish their tasks and recommends specific individual training as needed to comply with current constitutional law enforcement investigative and prosecutorial techniques, accreditations requirements, statutory requirements, and other rules as set forth by NHPTSC.
17. Advises and trains all officers in new developments in Federal, State and municipal law and departmental regulations.
18. Provides testimony in criminal, administrative or legislative hearings; serves as a representative of the Department and/or the Chief of Police as various meetings and functions with the public and other public safety organizations; provides assistance to persons who have questions or complaints concerning the Department.
19. Performs all the duties incumbent upon a Police Officer and Detective.
20. Investigate promptly and diligently all crimes assigned, utilizing all available resources.
21. Periodically contact the complainant or victim to apprise him or her of the state of the investigation or status of the prosecution.
22. Prepare cases for court. Carefully prepare the presentation of facts. Prepare and present those cases involving juveniles which have been fully investigated to either the juvenile court or to Diversion.
23. Prepare and arrange for the execution of search warrants; Prepare and arrange for the execution of affidavits for arrest; Prepare and arrange for the showing of photo line ups; Present cases to the Grand Jury when directed; Conduct background investigations for selection process when assigned; Assist in the processing of major crime scenes.
24. Provide assistance to other officers or detectives.
25. Handle certain calls for services as directed; Conduct surveillance and assist in covert operations.
26. May assist Division Commanders with Internal Affairs matters and investigations.
27. Perform other such duties as may be assigned by proper authority.

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Peripheral Duties

Attend council meetings as required and/or requested.
Perform the duties of subordinate personnel as needed.
Analyze and recommend improvements to equipment and facilities, as needed.
Participate in various committees as requested by the Chief of Police.

Desired Minimum Qualifications

Education and Experience:

Must possess a Bachelor's Degree, must possess a Law School Degree, and must be admitted to the New Hampshire Bar and must maintain Bar membership as a condition of continued employment.

Prosecutorial experience preferred.

Certification as a full time police officer from the New Hampshire Police Standards and Training Council preferred but not required.

Must maintain any required approvals and designations as required.

Necessary Knowledge, Skills and Abilities:

Considerable knowledge of modern police practices, techniques and methods. Thorough knowledge of the Federal and State laws, ordinances and court decisions which affect both the adult and juvenile systems. Working knowledge of the New Hampshire Criminal Code. Particular emphasis should be placed on court decisions related to arrests and evidence. Thorough knowledge of the policies, procedures and rules and regulations of the Department. Skilled in the use of keyboards and computers. Skilled in the use of an emergency vehicle. Ability to obtain information through interview and interrogation. Ability to project a positive first impression. Ability to project confidence, self assurance, and certainty to the public. Ability to speak and write effectively. Ability to cope with stressful situations. Ability to evaluate a situation, respond correctly applying appropriate discretion/common sense. Ability to develop and maintain effective working relationships with other members, City employees, members of other law enforcement agencies, courts, and the general public. Ability to sit and stand for long periods of time.

Knowledge of:

- Extensive knowledge in the methods of legal research.
- Thorough knowledge of applicable laws, ordinances and department rules and regulations.
- Considerable knowledge of methods and practices of police administration.
- Knowledge of grant seeking, grant writing and grant administration.

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- Knowledge of, or ability to quickly acquire knowledge of, recognition and accreditation processes through New Hampshire Police Standards and Training Council and the Commission for Accreditation of Law Enforcement Agencies.

Ability to:

- Perform legal research.
- Evaluate facts and interpret the law in individual cases.
- Investigate and prosecute criminal complaints.
- Analyze and apply legal principles, facts and precedents to legal problems.
- Present laws, facts and arguments clearly and logically in written and oral form.
- Demonstrated ability to communicate both orally and in writing.
- Maintain electronic and written records and prepare reports and to document any and all information pertaining to the activities and responsibilities of the position.
- Maintain effective working relationships with employees and the public and to deal with problems courteously and tactfully.

Skill in:

- The use of firearms and police equipment.
- The use of the tools and equipment listed below.

Supervision Received

Works under the broad policy guidance and direction of the Chief of Police. Works independently, within established laws, policies and regulations, overseeing daily activities and on-going investigations. Keeps the Chief advised of progress and problems and jointly reviews and discusses issues with the Chief to determine appropriate Department approach and course of action.

Supervision Exercised

An incumbent will supervise others and will be designated at the minimum rank of Lieutenant within the Police Department's Chain of Command. Incumbent organizes, plans, and recommends the formulation of goals, policies and operative procedures of the Police Department relative to Prosecutorial issues and Accreditation issues. May be required to supervise processing of crime scenes and/or conducting initial criminal investigations and exercise supervisory authority over Patrol Personnel at said scene and/or involved in said investigation until Criminal Division Commander takes command of scene and/or investigation. As Police Prosecutor has authority of Chief to schedule and/or cancel officers for Court appearances. At a minimum, exercises the same supervisory authority as a Lieutenant within the Chain of Command.

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Responsibility for Public Contact

Many personal contacts involve the probing for information on an individual or crime and there is the constant possibility of personal contact with persons who are violent, dangerous, armed or emotionally unstable. These situations require a high degree of personal skills in tact, courtesy and firmness in obtaining the necessary information and defusing potential volatile situations.

Licensing & Certification

State of New Hampshire Bar

Must maintain any required approvals and designations as required

Must maintain a valid motor vehicle operator's license.

Tools & Equipment Used

General police-issued equipment such as firearms, protective vest/gear, restraints, radio, vehicle, etc. General office equipment including computer, workstation, telephone, fax machine, photocopier, etc.. Investigative equipment including finger print lifting brushes and powders, drug field test kits, body wires, cameras, audio and video recording devices, measuring devices, plaster casts, evidence collection kits, etc..

Typical Work Surface(s): Standard office desk and chair; tables; computer work station, wood, tile, cement and carpeted floors.

Typical Controls & Equipment: Calculator, computer, printers, telephone, typewriter, copy machine, fax machine, General police-issued equipment such as firearms, protective vest/gear, restraints, radio, vehicle, etc. and Investigative equipment including finger print lifting brushes and powders, drug field test kits, body wires, cameras, audio and video recording devices, measuring devices, plaster casts, evidence collection kits, etc..

Typical Work Environment: Inside: 50% Outside: 50%

Summary of Occupational Exposures: May be exposed to cleaning fluids, copier toner, investigative chemicals (fingerprint powder, drug testing kits, etc.), etc. Work is performed in a variety of settings from comfortable office setting to extreme weather conditions. The employee may take charge at the scene of more serious crimes which may include physical or verbal attacks from individuals or groups. Physical demands include self-defense efforts, disarming persons who may not be rational, running, jumping, etc. The work involves high risk where serious injury is a factor and considerable physical efforts may be required to pursue on foot or apprehend and arrest.

The incumbent's working conditions are typically quiet to moderately loud.

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Physical Activity Requirements

Primary Physical Requirements

<u>LIFT up to 10 lbs.:</u>	Frequently required
<u>LIFT 11 to 25 lbs.:</u>	Frequently required
<u>LIFT 26 to 50 lbs.:</u>	Occasionally required
<u>LIFT over 50 lbs.:</u>	Occasionally required

<u>CARRY up to 10 lbs.:</u>	Occasionally required
<u>CARRY 11 to 25 lbs.:</u>	Occasionally required
<u>CARRY 26 to 50 lbs.:</u>	Occasionally required
<u>CARRY over 50 lbs.:</u>	Occasionally required

<u>REACH above shoulder height:</u>	Occasionally required
<u>REACH at shoulder height:</u>	Occasionally required
<u>REACH below shoulder height:</u>	Occasionally required
<u>PUSH/PULL:</u>	Occasionally required

Other Physical Considerations

<u>Twisting:</u>	Occasionally required
<u>Bending:</u>	Occasionally required
<u>Crawling:</u>	Rarely required
<u>Squatting:</u>	Occasionally required
<u>Kneeling:</u>	Occasionally required
<u>Crouching:</u>	Occasionally required
<u>Climbing:</u>	Rarely required
<u>Balancing:</u>	Rarely required
<u>Grasping:</u>	Frequently required
<u>Handling:</u>	Frequently required
<u>Torquing:</u>	Occasionally required
<u>Fingering:</u>	Frequently required

During an 8-hour Day, Employee is Typically Required To:

	<u>Consecutive Hours</u>	<u>Total Hours</u>
Sit	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8
Stand	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8
Walk	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8

Cognitive and Sensory Requirements:

- Talking: Necessary for communicating with others.
- Hearing: Necessary for taking instructions and information.
- Sight: Necessary for performing job effectively and correctly.
- Tasting & Smelling: Necessary for detecting odors.

Note: An incumbent of this position must be able to carry and use a firearm effectively and make forcible arrests if necessary.

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