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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

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March 13, 2024

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be and hereby is given to the Attorney General to appoint Peter M. MacKenna to Position #9U487 (Appropriation #02-20-20-201010-2620-013-500132) as an Attorney at a salary level of \$86,000, effective upon Governor and Executive Council approval or April 5, 2024, whichever is later.

EXPLANATION

Mr. MacKenna, a Laconia resident, earned his Bachelor of Arts degree in Philosophy from Wheaton College in 2012, and a Juris Doctor from Georgetown University Law Center in 2017. During law school, he was Managing Editor of *American Criminal Law Review – Annual Survey of White Collar Crime*, Best Oral Advocate in the 2015 Leahy Moot Court Competition, Legal Intern at the Federal Public Defender for the Eastern District of Virginia, and Student Attorney with the Criminal Defense and Prisoner Advocacy Clinic. Following law school graduation and admission to the New Hampshire Bar, Mr. MacKenna practiced as a Staff Attorney with the New Hampshire Public Defender Program from 2017 to 2021. He has been an Attorney at the New Hampshire Department of Labor since 2021. In light of Mr. MacKenna's education and experience, I am requesting he be appointed as an Attorney at a salary of \$86,000. He will be assigned to the Civil Law Bureau where he will focus on civil rights enforcement and assist with civil litigation. A copy of his resume is attached.

RSA 21-M:3 and RSA 94:1-a(I)(c)(3) provide that the designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

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I am very pleased to offer Mr. MacKenna's appointment as an Attorney at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "John M. Formella".

John M. Formella
Attorney General

#4411224

Peter M. MacKenna

EDUCATION

Georgetown University Law Center

Washington, D.C.

Juris Doctor

May 2017

Activities: Barristers' Council – Appellate Advocacy Division, Member; Employment Justice Center Legal Clinic, Intake Volunteer

Journal: American Criminal Law Review, Managing Editor – Annual Survey of White Collar Crime

Awards: Best Oral Advocate – Leahy Moot Court Competition 2015; Dean's List, 2015-2016 Academic Year

Wheaton College

Norton, MA

Bachelor of Arts in Philosophy

May 2012

Activities: Wheaton Student Government Association, Senator; One Hundred and One Ideas Taskforce, Chair; Career Advisory Committee, Chair; Senate Finance Committee, Member; Greener Initiatives Committee, Member; Treasurer's Advisory Council, Member

EXPERIENCE

New Hampshire Department of Labor

Concord, NH

ATTORNEY III

March 2022-Present

- Present offers of proof, examine witnesses, and argue closings at various administrative hearings.
- Negotiate resolutions to wage and hour, workers' compensation insurance, and first report of injury cases.
- Coordinate with Department investigators to prepare wage and hour cases for petition and hearing.
- Conduct presentations and trainings on NH labor laws, Department procedures, and investigation skills.
- Interpret statutes and provide legal analysis to the Department to aid it in the administration of its mission.

ATTORNEY II

July 2021-March 2022

- Presented offers of proof, examined witnesses, and argued closings at various administrative hearings.
- Negotiated resolutions to wage and hour, workers' compensation insurance, and first report of injury cases.
- Coordinated with Department investigators to prepare wage and hour cases for petition and hearing.
- Monitored all proposed NH legislation for relevant bills, providing Department feedback to legislators as needed.

New Hampshire Public Defender

Laconia, NH

STAFF ATTORNEY

August 2017-June 2021

- Conducted opening and closing arguments, examined witnesses, and argued objections at bench and jury trials.
- Researched and wrote motions challenging the inclusion of evidence and witnesses, as well as motions to dismiss.
- Negotiated plea resolutions with state prosecutors and advised clients on accepting pleas versus going to trial.
- Mentored and supervised new attorneys to ensure the quality of their work and to provide day-to-day guidance.

Criminal Defense and Prisoner Advocacy Clinic

Washington, D.C.

STUDENT ATTORNEY

August 2016-May 2017

- Argued probable cause and bail at arraignment on behalf of indigent misdemeanor clients in D.C. Superior Court.
- Conducted investigations, including interviewing witnesses, in anticipation of trial.
- Assisted returning prisoners with re-entry by helping them find employment, housing, counseling, etc.
- Served as lead attorney for parole revocation and probation violation hearings for clinic clients.

Federal Public Defender – Eastern District of Virginia

Alexandria, VA

LEGAL INTERN

May 2016-August 2016

- Drafted motions challenging the legality of police searches and seizures during traffic stops and roadblocks.
- Researched and wrote memos regarding federal bribery laws to assist attorneys with case preparation.
- Reviewed and catalogued FBI interviews, call transcripts, and chat logs in advance of a terrorism trial.

Employment Justice Center

Washington, D.C.

LAW CLERK

June 2015-August 2015

- Assisted attorneys in preparing, editing, and filing court documents related to employment discrimination cases.
- Conducted legal research to update the EJC's employment law handbook on unemployment insurance.