



GEORGE N. COPADIS, COMMISSIONER

RICHARD J. LAVERS, DEPUTY COMMISSIONER

October 14, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Pursuant to RSA 94:6, the Department of Employment Security (NHES) respectfully requests approval for John M. Gasaway, Counsel, (Position 9U617) to be placed at a compensation level higher than the minimum established in RSA 94:1-a. This request is to place Attorney Gasaway's annual salary in Group FF at Step 6, \$109,601.00 appropriation #010-027-8070-113, effective the first day of a pay period after Governor and Council approval. 100% Federal Funds.

EXPLANATION

I would like to appoint John M. Gasaway, Jr to the position of Counsel beginning November 1, 2024. This is an unclassified position within the Department that is housed within both NHES and the Criminal Bureau of the Department of Justice (DOJ).

This position, which is shared with DOJ, was created to prosecute unemployment fraud and other criminal acts perpetrated against the Department of Employment Security to protect the Unemployment Compensation Trust Fund. Attorney Gasaway is currently a classified state employee with a salary of \$104,246.00. Based on his extensive background as a prosecutor, nine years as a county attorney and five years as a prosecutor for the State of New Hampshire's Department of Safety, we are requesting to place him at Step 6 which is equal to and commensurate with the salary structure within the Legal section at NHES for other counsel positions.

While the unemployment program is utilized overwhelmingly by law abiding citizens in need of a temporary financial bridge following an unexpected loss in employment, there are always bad actors that look to take advantage of such programs. Considering the importance of the unemployment program, particularly as demonstrated during the pandemic, we need to continue to be vigilant against fraud in order to preserve benefits for deserving, eligible individuals. As such, the partnership that has existed between NHES and DOJ since 2015 through the creation and continuation of this position has served the state well. This partnership has allowed for an aggressive but appropriate stance in prosecuting egregious behavior, serving simultaneously as punishment and as a deterrent against others engaging in similar behavior. This partnership has served as a model for the country and is one that very much needs to continue.

Attorney Gasaway is highly qualified to take on this important work having most recently worked as a prosecutor for the Department of Safety and prior to that for both the Sullivan County Attorney's Office and the Cheshire County Attorney's Office. Considering his background and experience it is clear that Attorney Gasaway will be able to hit the ground running and be able to continue the important work of safeguarding the state's unemployment program.

Respectfully submitted, ,



George N. Copadis
Commissioner

JOHN M. GASAWAY, JR.

SUMMARY

Experienced prosecutor, and former Assistant Attorney General, seeking Unemployment Fraud Prosecutor position. Over 15 years experience including complex circuit court cases of domestic violence and impaired driving, as well as felony prosecution of homicide, sexual assault, child abuse, theft/ fraud, and other litigation.

PROSECUTION AND GOVERNMENT SERVICE

NEW HAMPSHIRE DEPARTMENT OF SAFETY, Concord, NH 2021 - Present
Hearings Examiner - Prosecutor

Represent the State of New Hampshire investigating and prosecuting cases of domestic violence, impaired driving, theft/ fraud, and other offenses. Primary courts within the Troop C area, Cheshire County and Sullivan County. Prosecution in other counties, as needed. Advise and train law enforcement.

SULLIVAN COUNTY ATTORNEY'S OFFICE, Claremont, NH 2018 - 2021
Assistant County Attorney

- Represented the State of New Hampshire prosecuting misdemeanors and violations in Circuit Court, focusing on domestic violence, assault, impaired driving, and theft/ fraud.
- Assisted Claremont Police Department with all matters related to adult prosecution and juvenile cases in Circuit Court. Assisted victims and other witnesses, and coordinated with other county and State prosecutors.

NEW HAMPSHIRE DEPARTMENT OF SAFETY, Keene, NH 2016 - 2018
Hearings Examiner – DWI Prosecutor

- Represented the State of New Hampshire investigating and prosecuting cases of impaired driving and related offenses. Primary courts within the Troop C area --- Cheshire County and Sullivan County. Prosecution in other counties, as needed. Advised law enforcement on other criminal investigations, as needed.
- Prosecuted cases in Superior Courts as Special Assistant County Attorney pursuant to N.H. RSA 7:33-g.
- Conducted courtroom training for new Troopers with the Division of State Police. Assisted in preparation for administrative hearings, and in criminal appellate and post-conviction litigation.

CHESHIRE COUNTY ATTORNEY'S OFFICE, Keene, NH 2010 - 2016
Assistant County Attorney

- Represented the State of New Hampshire prosecuting misdemeanors and felonies in Superior Court and District Courts, focusing on white-collar crime, theft and fraud.
- Prosecuted for all towns in Cheshire County, and other cases around the State on a conflict basis. Assisted with the prosecution of disbarred New Hampshire attorney who received five years in prison for theft of client funds.

THE COMPETITION AUTHORITY, Dublin, Ireland
Legal Case Officer – Cartels Division

2008 - 2010

- Investigated and helped prosecute complex white-collar crimes of conspiracy and fraud. Examined witnesses; compiled and analyzed voluminous sets of legal documents and business records; and helped manage all stages of related criminal litigation, from charging and discovery to trial and sentencing.
- Assisted with the investigation and prosecution of the only criminal cartel case under current Irish competition law to be tried before a jury (a complex two week jury trial of five individuals and three businesses charged with a market sharing conspiracy).
- Prepared witnesses and exhibits for numerous sentencing hearings related to a large price-fixing cartel resulting in over ten convictions, suspended prison sentences, and fines in excess of \$425,000.
- Represented the Irish Competition Authority and voted at European Commission committee hearings in Brussels during the prosecution of a global bid-rigging cartel resulting in fines of \$173 million.

NEW HAMPSHIRE ATTORNEY GENERAL'S OFFICE, Concord, NH
Assistant Attorney General

2006 - 2008

- Represented the State of New Hampshire investigating and prosecuting complex white collar crimes, including theft, securities fraud, credit card fraud, public corruption, and tax offenses.
- Assisted in criminal appellate and post-conviction litigation in the New Hampshire Supreme Court and United States District Court, and assisted in the investigation and prosecution of homicide cases.

ROCKINGHAM COUNTY ATTORNEY'S OFFICE, Brentwood, NH
Assistant County Attorney

2004 - 2006

Represented the State of New Hampshire prosecuting misdemeanors and felonies in Superior Court, District Courts, and administrative hearings.

EDUCATION AND AFFILIATIONS

Juris Doctor, Franklin Pierce Law Center, Concord, New Hampshire.
Graduated in top 30% of class.
Teaching Assistant, Evidence.

BS cum laude, Accounting, University of North Carolina at Charlotte.
Phi Kappa Phi Honor Society.
Beta Alpha Psi Accounting Honor Fraternity.
Golden Key Honor Society.

Board of Directors/ Treasurer, 2023-present, NH Coalition Against Domestic and Sexual Violence.

Board of Directors, 2015-2017, Granite State Children's Alliance, New Hampshire's Network of Child Advocacy Centers.

Adjunct Professor of Criminal Justice, 2016 to 2018, River Valley Community College.