Embattled county attorney leaves

$42,000 payout:
On way out, James Reams named prosecutor as acting deputy.

By JAMES A. KIMBLE
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BRENTWOOD — Rockingham County Attorney James Reams resigned from office on Tuesday, suddenly ending a months-long battle with state prosecutors seeking to remove him for alleged misconduct that included sexual harassment and ethical violations.

His departure — which Reams maintained was a “retirement” — was part of an agreement struck with Rockingham County commissioners.

The decision by Reams, of Hampton, upends removal proceedings pending against him filed by state Attorney General Joseph Foster. The case was expected to go to trial Aug. 4.

County Commissioner Kevin Coyle said Reams signed the agreement ratifying his departure on Tuesday afternoon, a week after commissioners decided to pay him the balance of his annual salary in a 2-to-1 vote.

Reams left his job with a $42,000 payout. He was paid $85,000 annually.

The Attorney General’s Office began investigating Reams' office last October,

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JAMES REAMS

... leaves office

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eventually calling in the FBI, after receiving complaints of sexual harassment, misuse of a forfeiture fund and ethical violations.

Reams denied any wrongdoing.

Foster said in a statement that the women who stepped forward to complain about Reams were courageous.

“They were steadfast throughout the course of this investigation and months of litigation. These women helped send an important message — conduct of this type cannot and will not be tolerated in the workplace,” Foster said.

Coyle said the commissioners were divided over whether to pay Reams, but ultimately felt it was the best way to get him to leave without litigating the misconduct case. “There was a lot of stress and anxiety from past and present employees” about the upcoming civil trial, Coyle said. “I've talked to some of them and I believe this agreement is in the best interest of the employees and the county. I didn't want to pay him, but it was really the only way to get it done.”

Reams said late Tuesday that he did not resign but retired from his job.

“The commissioners have nothing to do with it,” he said.

Reams said he did sign an agreement to receive a payout, but wrote a letter to the 90-member county delegation informing them that he was retiring. He said that he gave up his months-long legal fight after commissioners offered him a financial payout.

“We were looking at a real possibility that there would never be a trial,” Reams said.

Reams’ lawyer, Michael Ramsdell, recently asked a judge permission to solicit an opinion from the state Supreme Court about whether allegations against Reams could be dismissed. No ruling was made, but the action could have put off the civil trial so long that it would go beyond Reams’ elected term.

**Reams appoints Conway**

Reams also said that he appointed Patricia Conway, a longtime prosecutor in his office, as acting deputy county attorney.

“She has the title and the duties,” he said.

Reams said he spoke to Conway about the appointment and she accepted the post.

He maintained that his appointment did not violate his agreement with the state that allowed him to return to office on April 30.

Conway’s appointment comes weeks after state prosecutors disclosed that Reams allegedly re-designated her husband, a retired Salem police sergeant, as being “cleared” from a state-mandated list that catalogs police officers with potential witness credibility issues.

The state and Reams have not publicly named the officer, but the New Hampshire Union Leader has reported that he is Conway’s husband, Eric Lamb.

Lamb and Conway have not been accused of any wrongdoing.
And state prosecutors have yet to reveal how they believe Lamb’s name was removed from the list.

Reams said on Tuesday that he has no memory of re-designating Lamb on the list.

“There was a ton of litigation between the officer and the town which impacts it,” Reams said. “And there were cases in the office that were litigated and the result was that it didn’t impact one case.”

**No ‘quid pro quo’**

Conway, who has worked for Reams since 1999, is currently running for county attorney in the Republican primary.

Reams insisted on Tuesday that his decision to appoint Conway and remove Lamb from the statemandated list is not related whatsoever.

“There was no quid pro quo,” he said about removing Lamb’s name from the state list. “I never discussed it with anybody other than Tom Reid (the former deputy county attorney).”

Associate Attorney General Jane Young would not comment on Reams’ interpretation of his ability to name Conway as acting deputy county attorney.

A copy of the stipulation allowing Reams return — obtained by the New Hampshire Union Leader — says Reams may reassign the responsibilities formerly performed by the deputy county attorney, but that “County Attorney Reams shall not, however, formally install an assistant county attorney as deputy county attorney.”

Young said that prosecutors from her office will be back in Rockingham County on Wednesday to assist the office with the transition.

“We plan to be there first thing in the morning to brief the office,” Young said.

A state prosecutor has been stationed at the office to monitor Reams’ management when he returned to his job nearly two months ago.

Reams was expected to remain in office, on a state-monitored basis, until the end of his term in January. His return in April came after winning a major decision in a lawsuit he filed against the state challenging his six-month suspension during the investigation into his office.

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