SB 244-FN - AS AMENDED BY THE SENATE

02/22/2023 0581s

2023 SESSION

23-0899
04/05

SENATE BILL ***244-FN***

AN ACT relative to false public alarms.

SPONSORS: Sen. Altschiller, Dist 24; Sen. Perkins Kwoka, Dist 21; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Chandley, Dist 11; Sen. Whitley, Dist 15; Sen. Fenton, Dist 10; Sen. Watters, Dist 4; Sen. Prentiss, Dist 5; Rep. M. Paige, Rock. 11

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill makes the penalty for false public alarm if the report concerns the presence of an active shooter or presence of a bomb a class B felony.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
02/22/2023 0581s 23-0899
04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to false public alarms.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Breaches of the Peace; False Public Alarms; Report of Active Shooter. Amend RSA 644:3, I and II to read as follows:

I. Any person who directly or indirectly communicates to any governmental agency that commonly deals with emergencies involving danger to life or property a report known by him to be false regarding a fire, explosion, or other catastrophe or emergency, shall be guilty of a misdemeanor; except if the report concerns ***the presence of an active shooter, the presence of an explosive device, or*** the presence of a biological or chemical substance, the offense shall constitute a class B felony.

II. Any person who directly or indirectly communicates to any school, business, office building, hospital, or similar facility open to the public, a report concerning ***the presence of an active shooter, the presence of an explosive device, or*** the presence of a biological or chemical substance, knowing such report is false, shall be guilty of a class B felony.

2 Effective Date. This act shall take effect January 1, 2024.

LBA
23-0899
Amended 2/23/23

SB 244-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2023-0581s)

AN ACT relative to false public alarms.

FISCAL IMPACT: [X] State [X] County [ ] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General	[ ] Education	[ ] Highway	[ ] Other

COUNTY:

Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill makes an exception to the penalty for false public alarm if the report concerns the presence of an active shooter or explosive device. This affects penalties that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2023	FY 2024 through 12/31/23	FY 2024 (Starting 1/1/24 with repeal of Felonies First)

Violation and Misdemeanor Level Offense	$119	$122	$122
Routine Criminal Case	$644	$657	$779
Appeals	Varies	Varies	Varies

Judicial Council	FY 2023	FY 2024
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney - Felony	$825/Case $105 administrative fee $200 incarceration fee (If applicable)	$825/Case $105 administrative fee $200 incarceration fee (If applicable)
Contract Attorney – Misdemeanor	$300/Case $70 administrative fee $100 incarceration fee (If applicable)	$300/Case $70 administrative fee $100 incarceration fee (If applicable)
Assigned Counsel - Felony. Travel time to court does not count toward the cap.	$90/Hour up to $5,500	$90/Hour up to $5,500
Assigned Counsel- Misdemeanor. Travel time to court does not count toward the cap.	$90/Hour up to $2,000	$90/Hour up to $2,000
Assigned Counsel - Supreme Court Appeal	$125/Hour up to $10,000	$125/Hour up to $10,000

It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. Historically, approximately 85% of the indigent defense caseload has been handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%). Beginning in March of 2021, the public defender program has had to close intake of new cases due to excessive caseloads. Due to these closures, the contract and assigned counsel program have had to absorb significantly more cases. The system is experiencing significant delays in appointing counsel and the costs of representation have increased due to travel time and multiple appointments.

Department of Corrections	FY 2023	FY 2024
FY 2022 Average Cost of Incarcerating an Individual	$64,223	$64,223
FY 2022 Annual Marginal Cost of a General Population Inmate	$6,123	$6,123
FY 2022 Average Cost of Supervising an Individual on Parole/Probation	$688	$688

The Department notes any increase in the incarcerated population will have a direct impact on overtime costs given the Department's history of challenges associated with recruitment. In addition, the NH State Prison for

Men has a degrading infrastructure which will only be exacerbated if an increase in the incarcerated population were to occur.

NH Association of Counties	FY 2023	FY 2024
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	$105 to $125	$105 to $125

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department may be able to absorb the cost within its existing budget. However, if the Department needs to prosecute significantly more cases or handle more appeals, then costs will increase by an indeterminable amount.

AGENCIES CONTACTED:

Judicial Branch, Departments of Corrections and Justice, Judicial Council, and New Hampshire Association of Counties

CONSENT CALENDAR

April 19, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Criminal Justice and Public Safety to which was referred SB 244-FN,

AN ACT relative to false public alarms. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Terry Roy

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Criminal Justice and Public Safety**
Bill Number:	**SB 244-FN**
Title:	**relative to false public alarms.**
Date:	**April 19, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This bill makes false reports of a shooting or bomb threat a felony. The committee heard testimony regarding the danger, expense, and psychological damage that can be caused to everyone in a "swatting" incident. This trauma is all the worse when children are the target. With these crimes becoming a trend across the nation, including New Hampshire, the committee agrees that we must send a message to anyone contemplating such an act, that it will not be tolerated and the penalty will be severe.

Vote 20-0.

Rep. Terry Roy
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Criminal Justice and Public Safety
SB 244-FN, relative to false public alarms. **OUGHT TO PASS.**
Rep. Terry Roy for Criminal Justice and Public Safety. This bill makes false reports of a shooting or bomb threat a felony. The committee heard testimony regarding the danger, expense, and psychological damage that can be caused to everyone in a "swatting" incident. This trauma is all the worse when children are the target. With these crimes becoming a trend across the nation, including New Hampshire, the committee agrees that we must send a message to anyone contemplating such an act, that it will not be tolerated and the penalty will be severe. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: SB 244-FN Date: 3/29/23

Committee: Criminal Justice and Public Safety

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Elizabeth Sargent,		NH Assoc of Chiefs of	Police	K	
Mark Hall		603-419-8275	NHSP	✓	
Brian Hawkins			NEA-NH	✓	

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON SB 244-FN

BILL TITLE: **relative to false public alarms.**

DATE: **March 29, 2023**

LOB ROOM: **202-204** **Time Public Hearing Called to Order:** **10:30 a.m.**

Time Adjourned: **11:13 a.m.**

Committee Members: Reps. Roy, Rhodes, A. Murray, Pratt, Proulx, Janvrin, D. Mannion, Reid, Stone, Tenczar, Meuse, Bouldin, Bradley, N. Murphy, R. Newman, Newell, Selig and Wheeler

Bill Sponsors:

Sen. Altschiller	**Sen. Perkins Kwoka**	**Sen. Rosenwald**
Sen. Soucy	**Sen. Chandley**	**Sen. Whitley**
Sen. Fenton	**Sen. Watters**	**Sen. Prentiss**
Rep. M. Paige		

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Senator Debra Altschiller introduces her bill

- Gun violence is now the #1 cause of death for children. There have already been 130 mass this year. Every threat must be treated seriously now because of the likelihood of these crimes being carried out, which causes a lot of trauma for students and teachers as well as costs taxpayers a lot of money. This bill would create penalties for such crimes of 3 ½ to 7 years in jail.
- Chairman Roy asks if any arrests were made in the hoax calls made in NH, Senator Altschiller says no
- Rep Wheeler asks what the penalty is now for a false report, Senator Altschiller says it is only a violation. Rep Wheeler asks if these reports are not mostly made by children, Senator Altschiller says she is not aware of that. Rep Wheeler says he is concerned with charging children with these kinds of crimes and potentially sending them to jail for 7 years, Senator Altschiller says that would only happen if they were tried as an adult for which a case would have to be made by the county attorney
- Rep Harriott-Gathright asks if Senator Altschiller would be open to an amendment that would prevent teenagers from being charged with felonies, Senator Altschiller says that is up to the committee
- Rep Meuse asks is it not true that we already have such penalties for false biohazard reports, Senator Altschiller says that is true so the legal precedent is here.

- Rep Selig asks if Senator Altschiller has numbers of how much it costs communities to respond to these hoax calls, Senator Altschiller doesn't have exact numbers as the costs vary per community
- Rep Newell asks if social media posts like from TikTok trends would be criminal under this bill, Senator Altschiller says it likely depends on the municipality and how they respond to those kinds of posts. The bill specifically references calls.

Zandra Rice Hawkins, GunSenseNH

- Supports the bill
- Shares her frustration with the committee on the lack of support for previous gun control measures, and how these hoax calls are not a victimless crime. Kids are genuinely traumatized by drills and hoax calls, sometimes even considering jumping out of two story windows to escape a potential shooter.

Chief Joe Hoebeke, Hollis Chief of Police

- Supports the bill
- For small towns like Hollis, when calls like this require large scale responses they are required to rely on overtime and mutual aid, which are even more costly
- Chairman Roy asks if there are any arrests made for this crime, Chief Hoebeke says no, but this has become such a huge issue the FBI has created a national training to help departments know how to respond to swatting and hoax calls
- Rep Janvrin mentions how if someone calls Fish & Game with an issue and is found without a license they are then required to reimburse the department for search costs, would it make sense to add such a stipulation to this bill? Chief Hoebeke says potentially but it's hard to mandate restitution for services as it can be complicated
- Rep Murray asks if it is true that some potential shooters will make these calls to test response times and be able to make better plans for their crimes, Chief says yes that does happen, and agrees with Rep Murray that charging these people with felonies could stop a potential shooting before it happens
- Rep Selig asks if the Chief would speak to how responding to these calls could trigger PTSD in first responders, Chief Hoebeke says these could definitely be triggers for those who are previously diagnosed, but even those without such conditions have high stress and anxiety during these calls. Mentions how you can audibly hear the officers' anxious breathing in the recording of the Nashville shooting response. Rep Selig follows up to ask if there are officers leaving the force because of the stress, Chief says departments are losing a lot of officers and definitely some may be because of these issues

Respectfully submitted,

Rep. Alissandra Murray, Clerk

House Remote Testify

Criminal Justice and Public Safety Committee Testify List for Bill SB244 on 2023-03-29

Support: 8 Oppose: 4 Neutral: 0 Total to Testify: 0

Export to Excel

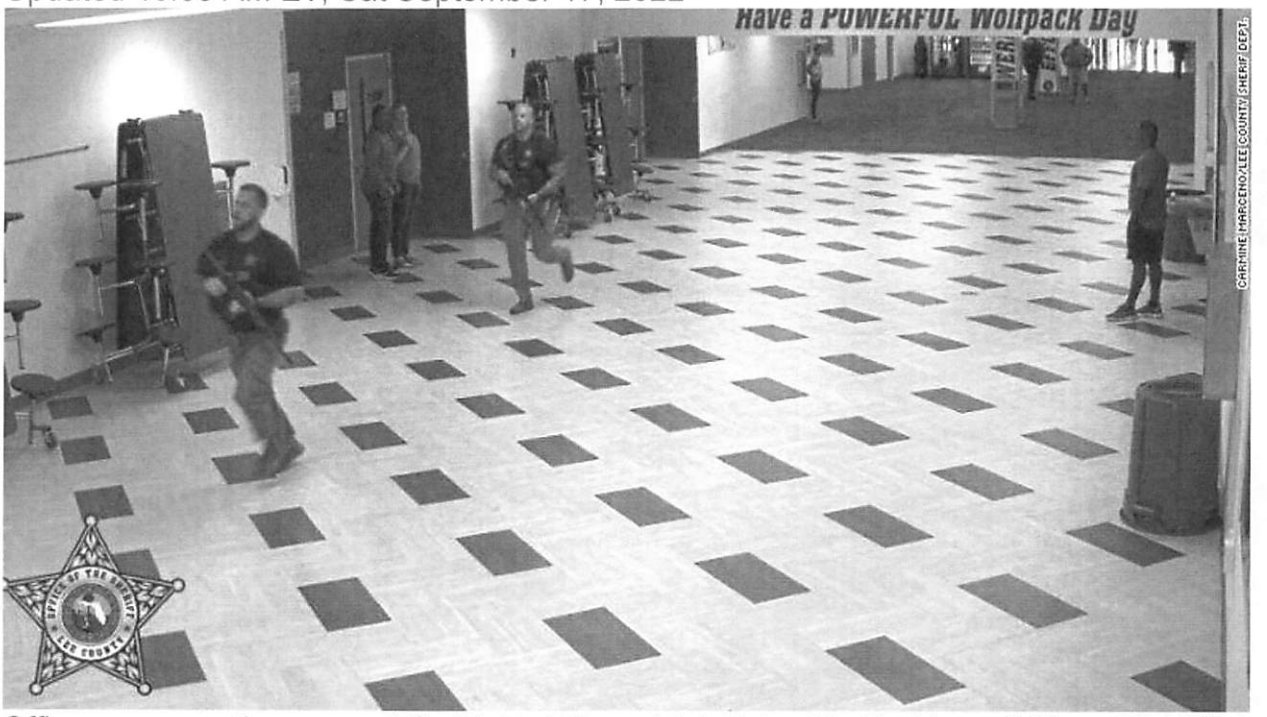
Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	3/23/2023 8:26 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	3/24/2023 7:43 PM
kisch, walter	warner, NH kischwalterf@yahoo.com	A Member of the Public	Myself	Oppose	No	No	3/26/2023 7:44 AM
Doughty, Patrick	Bethlehem, NH patrickdoughty@roadrunner.com	A Member of the Public	Myself	Oppose	No	No	3/27/2023 11:08 AM
Holtz, Anthony	Dover, NH Awave28@live.com	A Member of the Public	Myself	Support	No	No	3/27/2023 6:05 PM
Mercer, Jennifer	Loudon, NH jenannmercer@gmail.com	A Member of the Public	Myself	Oppose	No	No	3/27/2023 8:00 PM
soucy, donna	manchester, NH donna.soucy@leg.state.nh.us	An Elected Official	SD 18	Support	No	No	3/28/2023 10:20 AM
Rosenwald, Cindy	Nashua, NH cindy.rosenwald@leg.state.nh.us	An Elected Official	SD 13	Support	No	No	3/28/2023 10:37 AM
Watters, David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/28/2023 11:07 AM
Perkins Kwoka, Rebecca	Portsmouth, NH rebecca.perkinskwoka@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/28/2023 11:17 AM
Fenton (SD 10), Senator Donovan	Keene, NH donovan.fenton@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/29/2023 9:03 AM
Altschiller, Senator Debra	SD24, NH kevin.condict@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/29/2023 12:18 PM

Anthony Holtz

It should be a crime to lodge a deliberately false call about a school shooting, There are far too many ACTUAL shootings for false calls to be tolerated.

'It needs to stop.' Active shooter hoaxes at schools are having serious consequences

By **Alaa Elassar, CNN**
Updated 10:35 AM ET, Sat September 17, 2022



Officers were on the scene at South Fort Myers High School in Florida on Friday responding to a report of an active shooter. It was determined to be a hoax call.

(CNN) It was a peaceful Friday morning for Murrisha Leon, who was asleep when she received a call from a fellow parent warning her of an active shooter at their children's high school in Arkansas.

Immediately, Leon's heart sank as images of worst-case scenarios flooded her mind. She might lose one of her kids today, she told herself.

"I jumped up in a panic and instantly threw up," Leon told CNN. "I believed it and feared for my children's lives. I called them, and when they didn't answer the first time, I started crying."

Leon's son, 14, and daughter, 16, both attend Watson Chapel High School, which was put on lockdown immediately after the school received news of a possible active shooter on campus -- another in a series of reported threats at US schools this week.

ADVERTISING

Leon soon received a text from her son, saying, "Mama please come get me, they say three people got shot in the bathroom and I'm scared."

After an agonizing 30 minutes of waiting at the school, Leon -- along with hundreds of other panicked teachers, students and parents -- discovered that it was a false alarm.

A series of prank text messages were sent to police, alerting them of an armed person on campus and saying shots had been fired, the Pine Bluff Police Department wrote on Facebook. A sweep of both middle and high school campuses confirmed the report was a hoax.

False reports like this are a growing problem in the United States, and have even caught the attention of the FBI.

"When I found out it was because of a prank text I was extremely upset," Leon said. "It was not a game for us and it was not a game for our children, who were in that building terrified that they were going to be killed."

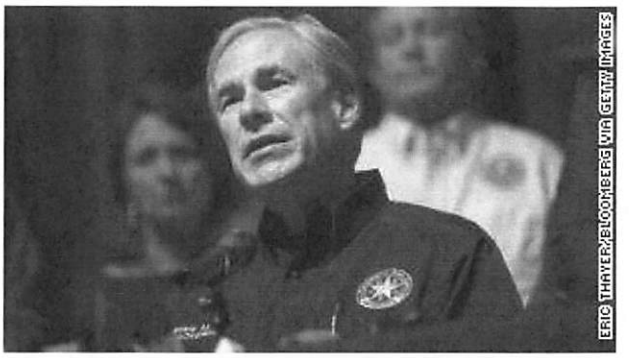
False reports are 'putting people in danger'

As students throughout the district were being released to parents, many still in tears, a similar panic was unfolding elsewhere.

At least two other US school districts had hoax calls on Friday, following a number of false reports claiming active shooters earlier this week.

The Lee County Sheriff's Office in Florida received a report Friday afternoon of a possible threat to schools in the district, the office said. Out of an abundance of caution, several schools in the district were placed on lockdown, with "special attention" paid to South Fort Myers High School, the department said.

"All resources were allocated and deployed to the school. Shortly after, it was determined to be a hoax call," the sheriff's office said.



School shootings in the US reached a 20-year high in 2021, federal data shows

The Hollywood Police Department in Florida also received a call Friday afternoon regarding a "possible threat" at McArthur High School, the department said. It later confirmed that no threat was found on the campus.

Incidents like these, where prank calls are made to authorities to lure them to a location under the false pretense that a crime has been committed or is in progress, are sometimes

called "swatting," and usually results in a forceful response from local police or SWAT teams.

Authorities are taking note of its frequency, and warning the public of its dangers.

"The FBI is aware of the numerous swatting incidents wherein a report of an active shooter at a school is made," the FBI said in a statement Thursday after a high school in Houston, Texas, was evacuated due to a false report of "10 people shot" earlier in the week.

"The FBI takes swatting very seriously because it puts innocent people at risk."

Swatting has led to tragedy before. In 2017, 28-year-old Andrew Finch was accidentally killed by police in his Kansas home after a prankster reported a hostage situation at the address. Tyler Raj Barriss, the man who made the report, was charged with involuntary manslaughter and ultimately sentenced to 20 years in prison.

"It's not a joke and it's not harmless," CNN chief law enforcement and intelligence analyst John Miller said. "Out of all the types of swatting, this creates the most danger. When police show up for what they think is an active shooter, they come in strong, heavy, armed, and fast. It raises the level of hazard for everyone involved and is putting people in danger."



Swatting is a dangerous prank with potentially deadly consequences. Here's what you need to know

False reports also exhaust limited police resources, which are better served focusing on real crimes, Miller said.

"It puts a lot of police resources towards an incident that's not really unfolding, because it creates this sense of severe and urgent danger that could result in many fatalities," he said. "It also takes police resources away from incidents that really are happening. Low priority calls can be quite serious and you're delaying response times and not allowing help to get to people who really need it."

While investigations into hoax calls like the ones that occurred Friday are "extremely, extremely time consuming and challenging" due to callers hiding behind layers of concealment, encrypted platforms and the dark web, Miller said, it's critical for local police to take them seriously.

"It's still worth it to pursue these cases because when they end in arrests, it really knocks out the idea it can be done without consequence," he added.

'You can't imagine the stress and hurt you put on families'

Nothing was funny about the parents who stood outside Watson Chapel High School on Friday crying out their children's names, Leon said.

It wasn't funny inside the school either, where Jacorrian Spears said students and staff were texting friends and family to say "I love you" one last time.

Spears, an AP US history teacher, recalls the moment his fourth period class was interrupted by the school secretary screaming into the intercom, "code black, code black, code black," with "distress in her voice."



Parkland suicide deaths highlight long-term psychological impacts of mass shootings

Immediately, Spears locked his classroom door and blockaded the room with a bookshelf before taking cover with frightened students. Nearly an hour later, everyone was released.

From his window, Spears saw a stream of parents running to unite with their children.

"Teachers were trying to piece together what happened and students were just ready to go home," Spears said. "When we found out it was a prank, I guess I was kind of relieved but it still was terrible."

In addition to sparking fear and panic, Spears said the incident re-traumatized many of his students, who witnessed one of their classmates die in a 2021 shooting at the middle school, which is on the same campus as the high school.

"The students said they had flashbacks of the shooting that happened to them in junior high," Spears said. "Those kids are now 11th graders and they still wear RIP hoodies and shirts of their classmate. They've told me before how it still kind of haunts them and today didn't make it any better. "

The 15-year-old boy who died in the 2021 shooting was Leon's daughter's best friend. "She relives that memory everyday," Leon said. "Today brought everything back."

Leon is now focused on helping her children move past yet another traumatizing event.

"It's very stressful being a parent today," Leon said. "I'm afraid every time they walk out the door. Even before today, I stressed about my children going to school."

"In this day and time, things like this really happen," she added. "You can't imagine the stress and hurt you put on families when you do things like this. This is something most parents worry about everyday when we send our children to school. It needs to stop."

CNN's Jamiel Lynch, Melissa Alonso, Josh Campbell and Sara Sidner contributed to this report.

March 29, 2023
Testimony supporting SB 244; relative to false public alarms.
Senator Debra Altschiller, District 24

Thank you, Chairman Roy and Honorable Committee members.

My name is Debra Altschiller, I represent Senate District 24 which includes the towns of Exeter, Greenland, Hampton, Hampton Falls, North Hampton, Rye & Stratham. I'm here to introduce Senate Bill 244, relative to false public alarms.

In the beginning of this current school year, CNN published an article about the fallout from active shooter hoaxes beginning with a school in Arkansas, and multiple schools in Florida. Students, teachers, and parents are all traumatized by this experience. (a: see attached)

Then it was our turn. Less than four months ago 10 schools experienced false alarms of an active shooter all on the same day. Students in Exeter, Concord, Claremont, Dover, Franklin, Laconia, Lebanon, Littleton, Portsmouth, and Whitefield experienced the terror of wondering "are we next?" Teachers and administrators' hearts stopped beating for a moment when they realized they had to transition out of their teaching mode to protecting lives mode.
And then it happened again, on Thursday March 2nd of this year, another false report was called into Lebanon and Hanover schools within an hour of each other. The Department of Safety was reported as saying that multiple state agencies are assisting local law enforcement in responding to and investigating calls. However, all calls are taken seriously until their validity can be determined.

After the chaotic response to the mass murder of children and teachers in Uvalde Texas, parents across the nation started looking for information about how their local law enforcement departments planned to respond to a similar situation in their communities. I've attached an article from my district about how we are preparing for the day it happens here. (b: see attached)

There have already been 130 mass shootings this year and gun violence is now the number one cause of death for American children. The threat of being a victim of a mass shooting is very real, we know it and students know it. (c: see attached)

Education week tracks school shootings and according to their data:
There have been 13 school shootings this year that resulted in injuries or deaths. There have been 157 such shootings since 2018. There were 51 school shootings with injuries or deaths last year, the most in a single year since Education Week began tracking such incidents in 2018. There were 35 in 2021,
10 in 2020,
and 24 each in 2019 and 2018. (d. see link below)

When a report of an active shooter comes in, response must be as if it is real, and we are now responding to deal with this direct threat. This appropriate response doesn't come without cost.

In addition to causing stress and fear for the public, hoax threats also cost taxpayers a lot of money in police response, mental health counseling and lost classroom time.

Senate Bill 244 seeks to acknowledge the seriousness of making an intentional false report by including it as class B felony. A prosecution and conviction of a Class B felony will face a potential **incarceration of 3 and ½ years to a maximum sentence of 7 years**. These charges also can result in fines of $4,000 and up to 5 years of probation.

False reports of active shooters do real harm and should be treated with the seriousness they deserve. I strongly urge the committee to **recommend SB 244 ought to pass and hold people who willfully traumatize our communities and exhaust our resources be held accountable.**
Thank you.

a. https://www.cnn.com/2022/09/17/us/false-active-shooter-reports-swatting-danger/index.html
b. https://www.seacoastonline.com/story/news/education/2022/09/08/exeter-hampton-portsmouth-rye-dover-seabrook-schools-police-train-active-shooter-threats/7998624001/
c. https://www.nytimes.com/interactive/2022/12/14/magazine/gun-violence-children-data-statistics
d. https://www.edweek.org/leadership/school-shootings-this-year-how-many-and-where/2023/01

EDUCATION

‘We don’t wait’: Seacoast police train for active school shooter threats

Angeljean Chiaramida
news@seacoastonline.com
View Comments

Uvalde, Texas; Parkland, Florida; Sandy Hook, Connecticut; Columbine, Colorado, all communities where children and educators lost their lives to school shooters, striking terror in the hearts of parents everywhere.

As unthinkable as a school shooting is, from Portsmouth to Dover, Hampton to Exeter, police in the Seacoast area have been planning and training for incidents they pray will never occur.

Following the confusion at Uvalde, Texas on May 24, when officers waited more than an hour before engaging the active shooter, police in the Seacoast say they received calls from parents concerning local response procedures.



Across the local area, law enforcement leaders say they believe an active shooter incident demands an instant response to engage and stop those intent on inflicting harm.

“The bottom line is we don’t wait; we go in immediately and stop the shooter,” said Rye Police Chief Kevin Walsh. “We learned that from what happened in

Columbine (in 1999). We don't wait to set up a perimeter. If we have to break our way in, we break our way in."

"That is the methodology," confirmed Portsmouth Police Capt. Mike Maloney. "The definition of an active shooter is a homicide in progress. Is there anything you need to respond to quicker? The answer is no."



The current policy, according to Hampton Police Chief David Hobbs and Seabrook Chief Brett Walker, is to move immediately and do whatever is necessary "to keep our citizens safe," sentiments echoed by all law enforcement in the region.

In communities with private schools as well as public, they also fall under that response umbrella.

"It's our job to treat your kids as if they were our own by doing everything and anything possible to keep kids safe," Maloney said. "If it means hanging it out on the line, that's what we do."

Police train for 'active shooter' incidents

Law enforcement has specific programs to train officers for active shooter scenarios, according to Exeter Chief Stephan Poulin, like Solo Officer Rapid Deployment, Tactical School Resource Officer Training and Critical Incident Training.

Officers are sent for training and learn what to do even if they are the first at the scene, Maloney said. Solo-officer response programs educate on how a single officer should enter a building alone when an active shooting is in progress, he said.



In preparation, the region's police departments also take steps to provide responders the information they need to address life-threatening situations.

For example, in Portsmouth as in other communities, police and fire vehicles are equipped with schematics of every school building within their town's borders. Additionally, Maloney said, cruisers have other strategic assets that assist in emergency responses, such as established plans for evacuation sites, setting up trauma areas and providing treatment in the "hot zones."

In Rye, Walsh received a grant from the state's Homeland Security office to purchase and implement software for each cruiser that pulls up vital information on the town's buildings at the tap of an icon on a computer screen. Responding officers from other agencies responding can access that information from a Rye cruiser's computer as well, he added.



Recently, dozens of police officers from Exeter, Kensington and Hampton Falls, along with members of the Exeter Fire Department, took part in the annual day-long active shooter training exercise at Exeter High School, according to the Exeter Police Lt. Steven Bolduc.

According to Zach McLaughlin, the new superintendent at Portsmouth's SAU 52, similar training took place at one of the city's elementary schools in late July. In Seabrook, except for the year of the pandemic, active shooter exercises at its elementary-middle school campus usually take place in August, Walker said.

Further, in communities across the region, residents have supported funding security measures for their school campuses, such as voters in SAU 16's six school districts of Exeter, Newfields, Stratham, East Kingston, Brentwood and Kensington, according to Associate Superintendent Esther Asbell.

Small agencies benefit from 'close-knit' police community

In a crisis, no community is alone in the Granite State, according to police leadership in the region. Smaller town police chiefs commented on the

willingness of other agencies to come to their aid, including the New Hampshire State Police.

In New Hampshire, they said, police departments are "close-knit." There are formal police mutual aid agreements between communities just like fire departments, they said, but officers monitor their radios constantly, showing up when needed, with or without a formal request.

"Often," Walsh said, "I've come out of responding to an incident here and found a State Police cruiser or someone from the county or a neighboring police department who came to help. We have resources available to us, often before we even ask."

"That's absolutely true," Hampton Falls Police Chief Ryan Veno said. "Recently, Exeter had an active shooting training and extended an invitation for Hampton Falls officers to join in."

South Hampton Police Lt. Robert Roy said state lines melt away in emergencies. South Hampton's mutual aid agreements extend to neighboring Amesbury and Salisbury, Massachusetts, as well as Granite State towns, he said.

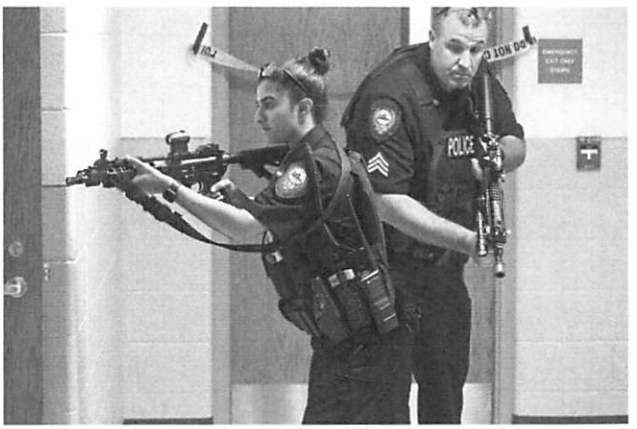
"We all just know we're going to be helping each other," Hobbs said. "It's all about relationships and we have great relationships with the other communities and agencies."

The region also has a valuable asset in SERT, the Seacoast Emergency Response Team, a regional tactical group of dozens of officers from 13 police departments, said Walsh, this year's SERT board president. Members train frequently on various crises, he said, and include negotiators, a psychiatrist and medical personnel, in addition to those providing SWAT-type operations.

Cooperation a key to school safety

Hampton Chief David Hobbs, a former school resource officer, said the cooperation between police and school officials is vital for school security, a comment repeated by other chiefs interviewed, as well as school superintendents.

The coordination includes methodologies and equipment that physically secure school buildings and grounds, to communications, training school personnel on defensive techniques, working with the state's School Safety Readiness officials at Homeland Security, to school resource officers, parents and students.



The attention given to school security statewide isn't haphazard, Hobbs said, every school must complete a school assessment every three years, conducted in conjunction with state Homeland Security school safety experts. Following those reviews, recommendations are sent out to local school officials for action, he said.

Just such a tri-annual assessment is planned for SAU 21 in the fall, according to Superintendent Meredith Nadeau. Also planned for October is "a tabletop exercise of our plans with our school teams and local emergency responders," according to Nadeau.

SAU 21 includes North Hampton, Hampton Falls, Seabrook, South Hampton and Winnacunnet High School. Nadeau added staff will also be completing their annual ALICE training.

A program developed for on-site school personnel brought to the region's school systems, the initials represent actions to take if confronted with a threat, according to Seabrook Police Chief Brett Walker. ALICE stands for Alert, Lockdown, Inform, Counter, and Evacuate, he said.

Other SAUs also include the ALICE format, according to those interviewed.

"ALICE training is vital for all school personnel, even though it's upsetting to contemplate," Walker said. "It's the reality of the times."

The role of school resource officers

Assigned to local schools to provide a police presence, school resource officers do much more than check halls and entranceways, according to area police chiefs and superintendents. They interact with students and school personnel and allow them to "feel safe."

"Our SROs are great people," said SAU 90 Superintendent Lois Costa. "They make a real connection with kids and it puts everyone's mind at ease. Students enjoy talking with the school resource officers. That goes a long way toward setting a tone."

Hobbs said Hampton's SROs meet regularly with teachers and police staff. They're able to help out in any number of ways, he said, including picking up the early warning signs of potential problems.

"Our SRO's are part of a team," Hobbs said. "We want our kids to feel safe, and parents to feel their kids are safe."

Police officials throughout the region confirmed Costa's and Hobbs' evaluation of the multitude of ways school resource officers make a difference and play positive roles in schools and violence prevention.

Making 'connections' key part of school safety

According to North Hampton Police Chief Kathryn Mone, "maintaining and building trust is everyone's responsibility," during the school year and it's vital in preventing the horrors of school shootings.

"Our department and the North Hampton School are committed to preparedness for the unthinkable," Mone said. "We make a daily commitment to prevention through communication and relationship building. We want everyone, from the youngest learners to every resident to speak up when they have a concern, or something doesn't seem quite right."

According to Costa, a common link found among those who have carried out school shootings is that "they had no connection," but feel alone, disenfranchised, and often disgruntled with the school, their communities and lives.

Police departments through their SROs, as well as schools, are working to establish programs offering students opportunities to connect. Examples of that are programs offered that foster social and emotional learning in the region, such as those at SAUs 90, 16, 21 and 52.

"If a child has at least one adult he or she can make a connection with, they can have a successful educational career," Asbell said.

This year, Hampton Academy is introducing advisory periods each day, Costa said, a time when small groups of students meet with an adult who "checks in" and helps them navigate through their days.

Similar programs during the school day have and will exist in Exeter's SAU, Asbell said, and both school systems have procedures in place for referrals should worries develop about individuals.

In SAU 21, Nadeau said programs like Responsive Classroom, Open Circle, and advisories support efforts to "help students be part of our school communities," with behavioral interventions and response teams in place when concerns arise.

According to McLaughlin, at SAU 52, social and emotional programs already exist in the elementary schools, and he's hoping to expand that to the upper levels.

"Social/emotional health, mental health, and whole child health is a focus of our School Board right now," McLaughlin said. "We aren't just looking at education from an academic point of view. We're trying to produce happy whole human beings. It's not just about being able to do the math; it's about being a good human being."

NH responds to need for safe schools

The 2018 tragedy at Marjory Stoneman Douglas High School in Parkland, Florida led to the formation of the New Hampshire School Safety Preparedness Task Force, which reviewed school security measures. Exeter's Asbell was on the team and helped write its recommendations.

All SAU officials across the state received copies of the report, Costa said, and after the recent attack at Robb Elementary School in Uvalde, Texas, another review was undertaken and sent out. In July, for example, Hampton public and private school officials, as well as police and fire met to go over the recommendations, Costa said.

This year, as in previous years, the state made available funds to enhance local security. SAU 21, 90, 16 and 52 applied for portions of those funds, requesting hundreds of thousands of dollars between them for use with school security upgrades.

According to the Department of Safety, more than $10 million in funding is available in this round, to augment the $30-plus million previously available.

The state Safety and Education departments also released a "Back to School Safety" video last week to districts to enhance familiarity with emergency operations plans.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on SB 244-FN

BILL TITLE: relative to false public alarms.

DATE: April 19, 2023

LOB ROOM: 202-204

MOTIONS: OUGHT TO PASS

Moved by Rep. Janvrin Seconded by Rep. Stone Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Alissandra Murray, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2/27/2023 4:08:32 PM
Roll Call Committee Registers Report

2023 SESSION

Criminal Justice and Public Safety

Bill #: SB244 **Motion:** OTP **AM #:** 12:05 PM **Exec Session Date:** 4/19/23

Members	YEAS	Nays	NV
Roy, Terry Chairman	✓		
Rhodes, Jennifer M. Vice Chairman	✓		
Pratt, Kevin M.	✓		
~~Sytek, John~~ Paul Tudor	✓		
Proulx, Mark L.	✓		
Janvrin, Jason A.	✓		
Mannion, Dennis	✓		
Reid, Karen A	✓		
Stone, Jonathan F.	✓		
Tenczar, Jeffrey	✓		
Harriott-Gathright, Linda C.	✓		
Meuse, David	✓		
~~Bouldin, Amanda C.~~ Chuck Grassie	✓		
~~Bradley, Amy~~ Latha Mangipudi	✓		
Murphy, Nancy A.	✓		
Newman, Ray E.	✓		
~~Murray, Alissandra Clerk~~ Mary Jane Wallner-Phillips	✓		
Newell, Jodi K	✓		
Selig, Loren	✓		
Wheeler, Jonah O	✓		
TOTAL VOTE:	20	0	

Consent