LEGISLATIVE COMMITTEE MINUTES

SB251

Bill as Introduced

2023 SESSION

23-0976
04/08

SENATE BILL ***251***

AN ACT establishing a committee to study the long-term impact of the New Hampshire adult parole system.

SPONSORS: Sen. Whitley, Dist 15; Sen. Avard, Dist 12; Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Soucy, Dist 18; Sen. D'Allesandro, Dist 20; Sen. Fenton, Dist 10; Sen. Chandley, Dist 11; Rep. Rhodes, Ches. 17

COMMITTEE: Judiciary

ANALYSIS

This bill establishes a committee to study the long-term impact of the New Hampshire adult parole system.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0976
04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing a committee to study the long-term impact of the New Hampshire adult parole system.

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

1 Committee Established. There is established a committee to study the long-term impact of the New Hampshire adult parole system.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the long-term impact of the New Hampshire adult parole system on the state and local levels in New Hampshire, working with the New Hampshire department of corrections, other state and local agencies, interested parties, and advocates to develop specific recommendations concerning the New Hampshire adult parole system.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

6 Effective Date. This act shall take effect upon its passage.

SB 251 - VERSION ADOPTED BY BOTH BODIES

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CHAPTER 78
SB 251 - FINAL VERSION

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23-0976
04/08

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CHAPTER 78
SB 251 - FINAL VERSION

23-0976
04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing a committee to study the long-term impact of the New Hampshire adult parole system.

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

78:1 Committee Established. There is established a committee to study the long-term impact of the New Hampshire adult parole system.

78:2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

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II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

78:3 Duties. The committee shall study the long-term impact of the New Hampshire adult parole system on the state and local levels in New Hampshire, working with the New Hampshire department of corrections, other state and local agencies, interested parties, and advocates to develop specific recommendations concerning the New Hampshire adult parole system.

78:4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

78:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

78:6 Effective Date. This act shall take effect upon its passage.

Approved: June 07, 2023
Effective Date: June 07, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Daryl Abbas, Member
Sen Rebecca Whitley, Member
Sen Shannon Chandley, Member

Date: February 15, 2023

HEARINGS

Tuesday	02/21/2023
(Day)	(Date)

Judiciary	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m.	**SB 245**	relative to the inspection of hotel guest records.
1:15 p.m.	**SB 246**	relative to disclosure of post-arrest photographs under the right to know law.
1:30 p.m.	**SB 250**	relative to remote participation in government meetings.
1:45 p.m.	**SB 253**	relative to parental access to a minor child's medical records.
2:00 p.m.	**SB 251**	establishing a committee to study the long-term impact of the New Hampshire adult parole system.
2:15 p.m.	**SB 247**	repealing limited liability for manufacturers, distributors, dealers, or importers of firearms or ammunition.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 245			
Sen. Ricciardi	Sen. Bradley	Sen. Gannon	Rep. Hunt
SB 246			
Sen. Murphy	Sen. Avard	Rep. D. McGuire	Rep. Spillane
Rep. Kofalt			
SB 250			
Sen. Lang	Sen. Gray	Sen. Watters	Sen. Perkins Kwoka
Sen. Whitley	Sen. Pearl	Rep. B. Boyd	
SB 253			
Sen. Innis	Sen. Avard	Sen. Murphy	Sen. Gray
Sen. Ward	Rep. Sellers	Rep. J. Harvey-Bolia	
SB 251			
Sen. Whitley	Sen. Avard	Sen. Perkins Kwoka	Sen. Watters
Sen. Soucy	Sen. D'Allesandro	Sen. Fenton	Sen. Chandley
Rep. Rhodes			
SB 247			
Sen. Altschiller	Sen. Watters	Sen. Fenton	Rep. Meuse
Rep. DiLorenzo	Rep. M. Paige		

Matthew Schelzi 271-3266

Sharon M. Carson
Chairman

Senate Judiciary Committee

Matthew Schelzi 271-3266

SB 251, establishing a committee to study the long-term impact of the New Hampshire adult parole system.

Hearing Date: February 24, 2023

Time Opened: 2:47 p.m. **Time Closed:** 2:57 p.m.

Members of the Committee Present: Senators Carson, Gannon, Abbas, Whitley and Chandley

Members of the Committee Absent: None

Bill Analysis: This bill establishes a committee to study the long-term impact of the New Hampshire adult parole system.

Sponsors:

Sen. Whitley	Sen. Avard	Sen. Perkins Kwoka
Sen. Watters	Sen. Soucy	Sen. D'Allesandro
Sen. Fenton	Sen. Chandley	Rep. Rhodes

Who supports the bill: Senator Whitley (District 15), Rep. David Meuse (Rock. 37), Joseph Lascaze (ACLU-NH), Senator Watters (District 4), Senator Perkins Kwoka (District 21), and Monica Staples.

Who opposes the bill: Anthony Pumilia.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Whitley introduced SB 251, which would establish a committee to study the long-term impact of the New Hampshire adult parole system. Probation and parole are designed to lower prison populations and help people succeed in the community. However, there is new data that suggests parole may have the opposite effect. The Council of State Governments' Justice Center engaged corrections and community leaders nationally to develop the first complete picture of how probation and parole violations make up a state's prison population. The study found that 45% of state prison admissions nationwide are due to violations of probation or parole for new offenses. Technical violations account for 25% of prison admissions. In New Hampshire, 60% of state prison admissions are due to supervision violations. With this committee, Sen. Whitley wanted to understand why New Hampshire has a higher rate

than the national level. Sen. Whitley suggested that this study begin by determining how many people in New Hampshire are on probation and parole, and to dig deeper into our state prison admissions rate that are due to supervision violations. She also suggested that this study committee could investigate how technical violations are handled and the impact of supervision violations on local jails. Sen. Whitley recommended that best practices are also reviewed to improve the system. The purpose of this study committee is to deliver better outcomes to individuals under supervision, their families, and the communities. Sen. Whitley also stated that this committee will ensure that taxpayer dollars will be used efficiently.

Senator Gannon asked if officers have discretionary power or if sentences are automatic for individuals who have committed a technical violation.

Sen. Whitley replied that the parole board, which is a separate state agency below the governor, would have a role in that issue.

Joseph Lascaze said that prison has become the go to response for too many situations when there are alternative approaches. He stated that an important question that needs to be asked and answered is if the state is benefiting or profiting off probation and parole. He noted individuals are paying to be out on parole. Mr. Lascaze told his personal story on how he had to pay supervisory fees and believed this issue needs to be studied by the committee.

Senator Carson asked if the supervisory fee was the same for everyone.

Mr. Lascaze responded that the fee is prorated to a person's employment status.

Sen. Carson asked if Mr. Lascaze would share the amount of money he owed for supervisory fees.

Mr. Lascaze responded that his fee, because he was volunteering and seen as unemployed, was $335. He stated that if his fee corresponded to his currently salary, he would have had to pay upwards of thousands of dollars.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

mjs
Date Hearing Report completed: February 24, 2023

Speakers

Senate Judiciary Committee
SIGN-IN SHEET

Date: Tuesday February 21st, 2023 **Time:** 2:00 p.m.

SB 251 AN ACT establishing a committee to study the long-term impact of the New Hampshire adult parole system.

Name/Representing *(please print neatly)*

Sen. Whitley (SD #15)	Support ☒	Neutral ☐	Oppose ☐	Speaking?	Yes ☒	No ☐
Rep. David Meuse	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☑
Joseph LaScaze ACLU-NH	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☑	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Remote Testify

Judiciary Committee Testify List for Bill SB251 on 2023-02-21

Support: 3 Oppose: 1

Name	Title	Representing	Position
Pumilia, Anthony	A Member of the Public	Myself	Oppose
Watters, Senator David	An Elected Official	Myself	Support
Perkins Kwoka, Senator Rebecca	An Elected Official	Myself	Support
Staples, Monica	A Member of the Public	Myself	Support

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 251

Hearing date: 2/21/23

Executive Session date: 2/21/23

Motion of: OTP **Vote:** 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	☐	☐	☐	☐
Sen. Gannon, V-Chair	☐	☐	☐	☐
Sen. Abbas	☐	☐	☐	☐
Sen. Whitley	☐	✓	☐	☐
Sen. Chandley	✓	☐	☐	☐

Motion of: Consent **Vote:** 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson , Chair	☐	☐	☐	☐
Sen. Gannon, V-Chair	☐	☐	☐	☐
Sen. Abbas	☐	☐	☐	☐
Sen. Whitley	☐	✓	☐	☐
Sen. Chandley	✓	☐	☐	☐

Motion of: _____ **Vote:** _____

Committee Member	Made by	Second	Yes	No
Sen. Carson , Chair	☐	☐	☐	☐
Sen. Gannon, V-Chair	☐	☐	☐	☐
Sen. Abbas	☐	☐	☐	☐
Sen. Whitley	☐	☐	☐	☐
Sen. Chandley	☐	☐	☐	☐

Reported out by: Sen. Whitley

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, February 22, 2023

THE COMMITTEE ON Judiciary

to which was referred **SB 251**

AN ACT establishing a committee to study the long-term impact of the New Hampshire adult parole system.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Rebecca Whitley
For the Committee

SB 251 would establish a committee to study the long-term impact of the New Hampshire adult parole system. Probation and parole are designed to lower prison populations and help people succeed in the community; however, new data suggests that they may have the opposite effect. In New Hampshire, 60% of state prison admissions are due to supervision violations, which is much higher than the national average. This discrepancy warrants further study on the issue.

Matthew Schelzi 271-3266

FOR THE CONSENT CALENDAR

JUDICIARY

SB 251, establishing a committee to study the long-term impact of the New Hampshire adult parole system.

Ought to Pass, Vote 5-0.

Senator Rebecca Whitley for the committee.

SB 251 would establish a committee to study the long-term impact of the New Hampshire adult parole system. Probation and parole are designed to lower prison populations and help people succeed in the community; however, new data suggests that they may have the opposite effect. In New Hampshire, 60% of state prison admissions are due to supervision violations, which is much higher than the national average. This discrepancy warrants further study on the issue.

General Court of New Hampshire - Bill Status System

Docket of SB251

Docket Abbreviations

Bill Title: establishing a committee to study the long-term impact of the New Hampshire adult parole system.

Official Docket of **SB251.**:

Date	Body	Description
1/24/2023	S	**Introduced** 01/19/2023 and Referred to Judiciary; **SJ 5**
2/15/2023	S	**Hearing:** 02/21/2023, Room 100, SH, 02:00 pm; **SC 11**
2/22/2023	S	Committee Report: Ought to Pass, 03/09/2023; Vote 5-0; CC; **SC 12**
3/9/2023	S	**Ought to Pass**: MA, VV; OT3rdg; 03/09/2023; **SJ 9**
3/20/2023	H	Introduced (in recess of) 03/16/2023 and referred to Criminal Justice and Public Safety
3/21/2023	H	Public Hearing: 03/29/2023 03:15 pm LOB 202-204
3/21/2023	H	Executive Session: 03/30/2023 09:00 am LOB 202-204
4/13/2023	H	Committee Report: Ought to Pass 03/30/2023 **(Vote 20-0; CC)**
5/4/2023	H	**Ought to Pass**: MA VV 05/04/2023 **HJ 13** P. 5
5/31/2023	H	Enrolled (in recess of) 04/18/2023
5/31/2023	S	Enrolled Adopted, VV, (In recess 05/18/2023); **SJ 16**
6/8/2023	S	Signed by the Governor on 06/07/2023; Chapter 0078; Effective 06/07/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 251 **Senate Committee:** JUD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

N/A Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Matthew Schetz 8-29-23

Committee Aide **Date**

Senate Clerk's Office AL