CONSENT CALENDAR

April 24, 2024

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Criminal Justice and Public Safety to which was referred SB 424,

AN ACT relative to reductions of maximum sentences while on parole. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. David Meuse

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Criminal Justice and Public Safety**
Bill Number:	**SB 424**
Title:	**relative to reductions of maximum sentences while on parole.**
Date:	**April 24, 2024**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This bill is a product of the SB 251 study committee, which was established in 2023 to examine the New Hampshire adult parole system. One of the committee's recommendations was to adopt clear and concise policy language in parole guidelines when weighing the factors associated with the decision to reduce the length of parole. Our current law is vague and doesn't provide a probation parole officer with legal directions on how to consistently consider parolees for a reduction of their maximum sentences. This bill addresses this issue by establishing a framework in statute for parole eligibility and reduction of their maximum sentences. Based on current Department of Corrections policies, the framework included in the bill requires the supervising probation and parole officer to conduct an annual review that assesses the parolee's risk of recidivism. The review would examine the parolee's criminal history, education, employment and financial status, substance use and abuse problems, mental health needs, and engagement with treatment, and more. Under the bill, the final decision around any reduction in parole length would continue to be made by the Parole Board. Worth noting is the bill would have no impact when it comes to reducing the sentence of a person currently serving time for a criminal conviction.

Vote 20-0.

Rep. David Meuse
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Criminal Justice and Public Safety

SB 424, relative to reductions of maximum sentences while on parole. **OUGHT TO PASS.**

Rep. David Meuse for Criminal Justice and Public Safety. This bill is a product of the SB 251 study committee, which was established in 2023 to examine the New Hampshire adult parole system. One of the committee's recommendations was to adopt clear and concise policy language in parole guidelines when weighing the factors associated with the decision to reduce the length of parole. Our current law is vague and doesn't provide a probation parole officer with legal directions on how to consistently consider parolees for a reduction of their maximum sentences. This bill addresses this issue by establishing a framework in statute for parole eligibility and reduction of their maximum sentences. Based on current Department of Corrections policies, the framework included in the bill requires the supervising probation and parole officer to conduct an annual review that assesses the parolee's risk of recidivism. The review would examine the parolee's criminal history, education, employment and financial status, substance use and abuse problems, mental health needs, and engagement with treatment, and more. Under the bill, the final decision around any reduction in parole length would continue to be made by the Parole Board. Worth noting is the bill would have no impact when it comes to reducing the sentence of a person currently serving time for a criminal conviction. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on SB 424

BILL TITLE: relative to reductions of maximum sentences while on parole.

DATE: April 24, 2024

LOB ROOM: 202-204

MOTIONS: OUGHT TO PASS

Moved by Rep. Meuse Seconded by Rep. Roy 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

4/24/2024 9:02:44 AM
Roll Call Committee Registers Report

2024 SESSION

Criminal Justice and Public Safety

Bill #: SB 424 **Motion:** OTP **AM #:** _____ **Exec Session Date:** 4/24/24

Members	YEAS	Nays	NV
Roy, Terry Chairman	20		
Rhodes, Jennifer M. Vice Chairman	1		
Pratt, Kevin M.	2		
Sytek, John	3		
Proulx, Mark L.	4		
Janvrin, Jason A.	5		
Mannion, Dennis	6		
Reid, Karen A	7		
Stone, Jonathan F.	8		
~~Tenczar, Jeffrey~~ Hill	9		
~~Harriott-Gathright, Linda C.~~ Roesner	10		
Meuse, David	11		
Bouldin, Amanda C.	12		
~~Bradley, Amy~~ Elberger	13		
Murphy, Nancy A.	14		
Newman, Ray E.	15		
Murray, Alissandra Clerk	16		
Newell, Jodi K	17		
Selig, Loren	18		
Wheeler, Jonah O	19		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON SB 424

BILL TITLE: **relative to reductions of maximum sentences while on parole.**

DATE: **April 17, 2024**

LOB ROOM: **202-204** **Time Public Hearing Called to Order:** **10:31 a.m.**

Time Adjourned: **10:42 a.m.**

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

Bill Sponsors:
Sen. Whitley **Sen. Perkins Kwoka** **Sen. Watters**

TESTIMONY

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

SB 424: relative to reductions of maximum sentences while on parole. Opened 10:31am, Closed 10:42am

- Refines existing law which defines standards for determining lowering parolees' maximum sentences
- current law is vague and doesn't include this kind of guidance
- this bill creates an annual audit requirement for these parole cases
- This language came out of suggestions from the parole study committee
- not changing policy just taking existing practice and making it clear in the statute

Jeffrey White, NH DOC Director of Field Services

- Supports the bill
- clearer framework for parole eligibility
- current law doesn't have standards to uphold consistent evaluations

Respectfully submitted,

Rep. Alissandra Murray, Clerk

SIGN UP SHEET

Register Your Opinion If Not Testifying

Committee: Criminal Justice and Public Safety

Bill #:
SB 424

Date: 4/17/24

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

Name	Address	Phone	Representing	Pro	Con
Jeffrey White	64 South St. Concord NH	DOC	603-419-5674 DOC	X	
Sebastian Fuentes		6039914687	~~SECRET~~	X	
RONALD RENE	MANCHESTER		S ECKERT P.W.	X	

House Remote Testify

Criminal Justice and Public Safety Committee Testify List for Bill SB424 on 2024-04-17

Support: 6 Oppose: 2 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Smith, Hayden	Hanover, NH hasmith1520@gmail.com	A Member of the Public	Myself	Support	No	No	4/13/2024 11:18 AM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	4/15/2024 8:46 AM
Richardson, Daniel	Nashua, NH daniel6_22@comcast	A Member of the Public	Myself	Oppose	No	No	4/16/2024 11:38 AM
Watters, Senator David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	SD4	Support	No	No	4/16/2024 12:50 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	4/16/2024 7:41 PM
Introcaso, Paul	NASHUA, NH p.introcaso@comcast.net	A Member of the Public	Myself	Support	No	No	4/17/2024 7:11 AM
Perkins Kwoka, Senator Rebecca	Portsmouth, NH Rebecca.PerkinsKwoka@leg.state.nh.us	An Elected Official	SD21	Support	No	No	4/17/2024 11:49 AM
Lascaze, Joseph	Concord, NH joseph@aclu-nh.org	A Lobbyist	The ACLU of New Hampshire	Support	No	No	4/17/2024 3:52 PM

Daniel Richardson

When a penalty is defined for a crime, it should be serious. The penalty is not a suggestion. The penalty administered should be enforced.

Joseph Lascaze

This bill came out of a report that was seen by the Council for State Governments (CSG) that outlines parole conditions
across the nation. He said that paragraph one is already what the current law is, it just enshrines it into statute. Subsection B where it states “education, employment, financial status, family and marital status, housing status, leisure skills, companions, substance use and abuse problems, other mental health needs and engagement with treatment, and thought patterns regarding criminal conducts,” are the foundational blocks for success in the community. He believed as these issues are being scrutinized further, it will create an incentive on the parolee’s part to create positive patterns of behavior. He said under Subsection B, Part D where it says, “compliance with the parolee with parole conditions,” parolees must adhere to
conditions of parole. This bill makes it uniform across all parole departments. He said this is a system New Hampshire can benefit from.

SB 424 - AS INTRODUCED

2024 SESSION

24-3035
09/08

SENATE BILL ***424***

AN ACT relative to reductions of maximum sentences while on parole.

SPONSORS: Sen. Whitley, Dist 15; Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4

COMMITTEE: Judiciary

ANALYSIS

This bill requires the supervising probation/parole officer to conduct an annual review of his or her parole caseload to identify and present parolees to the adult parole board for reduction of the parolee's maximum sentence, and provides additional factors for the parole board to consider when determining whether to grant a reduction of a parolee's maximum sentence.

- -

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.

SB 424 - AS INTRODUCED

24-3035
09/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to reductions of maximum sentences while on parole.

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

1 Parole of Prisoners; Reduction of Maximum Sentence While on Parole. Amend RSA 651-A:12 to read as follows:

651-A:12 Reduction of Maximum Sentence While on Parole.

I. Any person who is on parole from the state prison on a permit under the provisions of this chapter may be granted a reduction of maximum term of his or her sentence equal to 1/3 of the period of time during which the parolee is at liberty on said permit, provided that in making such a decision, the parole board shall consider***:***

(a) the supervision status of the parolee, with a specific focus on those on administrative supervision;

(b) the parolee's assessed risk associated with recidivism, including a targeted review of the parolee's criminal history, education, employment, financial status, family/marital status, housing status, leisure skills, companions, substance use and abuse problems, other mental health needs and engagement with treatment, and thought patterns regarding criminal conduct;

(c) the conduct of the parolee while under supervision[~~,~~]***;***

(d) the compliance by the parolee with parole conditions;

(e) the seriousness of the offense[~~,~~]***;***

(f) the amount of restitution owed[~~,~~] ***and paid;*** and

(g) any information provided by the victim ***or survivors in the criminal matter***.

II. The supervising probation/parole officer shall conduct an annual review of his or her parole caseload and shall identify, utilizing the factors in paragraph I, and present parolees to the adult parole board for reduction of the parolee's maximum sentence.

III. The parolee may be granted a discharge at the expiration of his or her maximum sentence less deductions provided for in this chapter.

2 Effective Date. This act shall take effect January 1, 2025.