

Senate Judiciary Committee

Brendan Bunnell 271-4063

SB 621-FN, establishing a homicide cold case commission for the purpose of acting as an intermediary between the department of justice and the family of cold case homicide victims.

Hearing Date: January 15, 2026

Time Opened: 2:45 p.m.

Time Closed: 3:14 p.m.

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

Members of the Committee Absent: Senator Altschiller

Bill Analysis: This bill establishes a cold case commission for various communications regarding the status of cold case homicides.

Sponsors:

Sen. Long

Sen. Sullivan

Sen. Perkins Kwoka

Sen. Fenton

Sen. Murphy

Sen. Prentiss

Sen. Altschiller

Sen. Birdsell

Sen. Carson

Who supports the bill: Senator Patrick Long and Senator Donovan Fenton.

Who opposes the bill: Jeff Strelzin (AG's Office), R. Christopher Knowles (AG's Office), Mallory S. Littman, and Daniel Richardson.

Who is neutral on the bill: None.

Summary of testimony presented:

Senator Pat Long, stated that the bill was intended to improve communication between the New Hampshire Cold Case Unit and the public, particularly families of cold case victims. Explained that there were approximately 127 cold cases and that limited staffing made consistent communication difficult.

- Emphasized that the bill did not require disclosure of sensitive or protected investigative information, but instead focused on structured communication. Noted that he had met with the Attorney General's Office and agreed on revised language, with an amendment forthcoming.

- Observed that the existing commission did not need to meet quarterly and referenced a December 1st report that he found informative and encouraging.
- Proposed sunseting the commission after a few years if the amendment were adopted. Explained that appointments would be made by the Attorney General and the Governor, with members drawn from the public rather than exclusively from cold case families. Stated that the commission would meet annually after release of the report to discuss its contents and improve public trust and transparency.
- Senator Reardon asked a question regarding whether the proposed amendment was an official amendment and confirmed that it was a replace-all amendment.
 - Senator Long said that was correct.

Christopher Knowles, Chief of the New Hampshire Cold Case Unit, described significant recent investment and expansion of the Cold Case Unit, including additional investigators, prosecutors, state police personnel, and victim-witness advocates. Stated that the Attorney General's Office did not believe the bill was necessary.

- Reported that the unit had met with more than 650 members of the public and victims' families in the prior calendar year, nearly tripling contacts from the previous year. Explained that increased staffing enabled more frequent family communication and investigative progress. Emphasized that the unit maintained direct contact with families, often meeting in person and remaining engaged for decades.
- Noted that the original version of the bill raised concerns because it would insert an intermediary between the unit and families. Concluded that while the bill was unnecessary, the amended version was preferable if the committee chose to proceed.
- Senator Carson expressed concern that a commission discussing cold cases could inadvertently disclose sensitive evidence and compromise investigations. Noted that such disclosure could interfere with reinvestigations or newly discovered evidence and referenced correspondence from the Attorney General regarding those risks.

Jeff Strelzin introduced himself as a senior assistant attorney general with decades of homicide prosecution experience. In reference to Senator Carson's concerns, he explained that a concern they had with the original bill was the risk of divulging investigative details that only law enforcement should know. Stated that disclosure of such information could taint witnesses and undermine prosecutions.

- Acknowledged that revised language addressed some concerns by allowing the unit to withhold information that could harm investigations. Emphasized that even with safeguards, explaining why information could not be shared often created practical challenges and additional risk.

- Senator Carson raised concerns about Right-to-Know (RSA 91-A) requests and questioned how the commission would handle public or media requests for information without explicit exemptions in the bill. Asked whether the commission might be required to disclose information that could harm ongoing investigations.
 - Jeff Strelzin responded that New Hampshire case law allowed law enforcement to withhold information related to ongoing investigations. Explained that the unit would need to be cautious about what information was shared with the commission in order to maintain those protections.
 - Senator Carson asked that the issue be reviewed by the Attorney General to determine whether additional statutory protections were needed to shield the commission from disclosure obligations under RSA 91-A.
 - Senator Carson suggested a potential solution requiring the commission to run any RSA 91-A requests through the Attorney General’s Office before releasing information, similar to protections used for business information.
- Senator Abbas raised concerns about civilians serving on the commission and potentially misunderstanding what information could be shared publicly. Questioned whether inadvertent disclosure by public members posed a risk to investigations.
 - Jeff Strelzin explained that the amended bill limited shared information primarily from the annual report, which was already public. Stated that the unit controlled the contents of that report and ensured it did not compromise cases.
- Senator Reardon asked whether having commission members with law enforcement or professional experience, rather than general public members, would reduce disclosure risks.
 - Jeff Strelzin responded that while professional experience could help, any sharing of information increased the risk of inadvertent disclosure. Emphasized that prosecutors preferred to maintain direct control over investigative information.
- Senator Reardon asked whether the commission would receive any nonpublic information or only what was included in the annual report.
 - Jeff Strelzin explained that the commission might ask questions beyond the report and that the unit would need to act as gatekeepers in deciding what could be shared.
- Senator Abbas questioned what types of “activity” the commission was intended to communicate to the public, particularly when reopening cold cases was not typically announced.

- o Jeff Strelzin explained that activity would primarily consist of information contained in the annual report and that the unit would decline to share other information if it could harm investigations. Acknowledged concerns about potential disputes if the commission challenged refusals to share information.
 - o Christopher Knowles added that the Attorney General's Office already used a trained communications director to release carefully targeted information for investigative purposes and reiterated concerns about expanding that role to a commission.
- Senator Abbas asked for a hypothetical example of the type of information included in the annual report.
 - o Christopher Knowles explained that the annual report covered unit growth, staffing changes, investigative successes, number of tips received, number of family contacts, and summaries of public press releases. Noted that all reports dating back to 2009 were publicly available.
 - o Jeff Strelzin characterized the report as a year-in-review and suggested that the bill's intent was to amplify awareness of existing public information and help families feel informed.
- Senator Reardon asked whether the report included technical or investigative detail that could compromise cases.
 - o Christopher Knowles responded that the unit was very guarded with details, but occasionally discussed general tools such as forensic genetic genealogy, citing the Bear Brook homicide case as an example of publicly discussed success.

Mallory Littman, a sergeant with the New Hampshire State Police and Commander of the Cold Case Unit, she stated that she opposed the bill. Explained that the unit already had an effective system for communicating with victims' families and that each cold case was assigned a specific investigator and victim-witness advocate.

- Noted that the unit was the most robust it had been since its creation in 2009 and had recently closed cases and made arrests, including in the Paul Hurley homicide. Warned that the bill would disrupt current operations, slow investigations, and potentially affect prosecutions.
- Expressed concern that sharing information with non-law-enforcement commission members could violate the rights of suspects and witnesses. Concluded that the current system worked and that the bill, even with amendments, was unnecessary.