

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1366-FN, relative to military orders of protection.

Hearing Date: March 19, 2026

Time Opened: 1:59 p.m.

Time Closed: 2:09 p.m.

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

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill requires law enforcement and peace officers to notify certain military agencies where said officer has probable cause to believe a member of the armed forces or national guard is in violation of a military protection order.

Sponsors:

Rep. Roy
Rep. Rhodes

Rep. Devoid
Sen. Birdsell

Rep. Paquette
Sen. Carson

Who supports the bill: Pamela Keilig (NH Coalition Against Domestic and Sexual Violence), Melissa Willette (Department of Defense), and Kevin Grady (State Veterans Advisory Committee).

Who opposes the bill: Melanie Kasparian.

Who is neutral on the bill: Senator Daryl Abbas.

Summary of the testimony presented:

Senator Daryl Abbas (SD-22), introduced the bill and explained that the bill relates to military protective orders. He noted that he was introducing the bill for Representative Roy who was not present. Abbas stated that he would reserve detailed remarks for an executive session.

Kevin Grady, a 25-year Air Force veteran and 28-year resident of Hooksett, testified on behalf of the State Veterans Advisory Committee in support of the bill. He explained that the legislation builds on a prior law, House Bill 62, which allowed a spouse to bring a military protective order into a civil proceeding to obtain a restraining order.

- He described a military protective order as an administrative directive issued by a commander requiring an individual to stay away from certain people, similar in function to a civilian restraining order. He clarified that violating such an order can escalate consequences into the criminal realm under the Uniform Code of Military Justice.
- Explained that House Bill 1366 improves coordination between civilian law enforcement and the military by allowing local police to report suspected violations of military protective orders. He described a scenario in which a spouse reports a violation to local law enforcement, who would then notify the appropriate military authority, such as the New Hampshire National Guard General Counsel or their designee. He noted that a House amendment clarified that notification should go to the office rather than a specific individual to ensure continuity.
- Emphasized that New Hampshire has unique circumstances, including active duty personnel at Pease and National Guard members who serve part-time unless deployed. He explained that unlike active-duty bases, New Hampshire lacks military housing, limiting commanders' ability to physically separate individuals in domestic situations. He argued that strengthening communication between civilian and military authorities is therefore essential and that the bill helps formalize those relationships. He concluded by expressing support for the legislation and offered to take questions.
- Senator Abbas asked a question regarding formatting in the bill, specifically why references to the New Hampshire National Guard and related entities were written in lowercase rather than capitalized. He noted that he would have expected capitalization and asked whether that was proper.
 - o Kevin Grady responded that he was not responsible for the drafting and would have personally capitalized the terms, but deferred to legal experts and legislative drafters on such technical details.
 - Senator Abbas followed up, suggesting that the issue could be confirmed and potentially corrected, acknowledging that such details matter both legally and as a matter of respect.
 - o Kevin Grady reiterated that he defers to those with legal expertise on drafting language.

Melissa Willette, representing the Defense State Liaison Office as the New England regional liaison, testified in support of the bill. She explained that her role involves working with state leaders, military officials, and policymakers on issues affecting service members and their families, including interpersonal violence. She defined interpersonal violence as behavior used to assert power or control and emphasized that such cases often involve both civilian and military jurisdictions.

- Explained that without proper coordination, violations of military protective orders may go unreported, increasing risk to victims. She stated that violating a military protective order is a serious offense that can result in disciplinary actions such as non-judicial punishment, court-martial, or administrative separation under military law. However, civilian law enforcement does not have authority to enforce these orders off military installations.
- Stated that the bill creates a framework for improved communication by allowing civilian law enforcement to notify the appropriate military authority when a violation is suspected, typically the agency that entered the order into the NCIC database. She noted that current policy does not require such notification, creating gaps in enforcement and accountability. She concluded that the bill would improve victim safety and accountability by facilitating information sharing between civilian and military systems.

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Date Hearing Report completed: March 23, 2026