

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1696-FN, relative to the issuance of a summons instead of arrest.

Hearing Date: March 24, 2026

Time Opened: 3:26 p.m.

Time Closed: 3:30 p.m.

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

Members of the Committee Absent: Senators Reardon and Carson

Bill Analysis: This bill makes it a misdemeanor to fail to remain of good behavior while released pursuant to a summons in lieu of arrest, and provides penalties for violations of the terms of the summons.

Sponsors:

Rep. Rhodes

Rep. Berry

Rep. D. Mannion

Rep. Roy

Rep. Sweeney

Who supports the bill: Representative Jennifer Rhodes, Representative Daniel Popovivi-Muller, Cayla Slaughter, Kate Horgan, and Elizabeth Sargent (NH Assoc. of Chiefs of Police).

Who opposes the bill: Cory Stone and Daniel Richardson.

Who is neutral on the bill: None.

Summary of the testimony presented:

Representative Jennifer Rhodes introduced the bill and explained that it passed the House on the consent calendar with an 11 to 1 committee vote. She stated that the purpose of the bill is to close a loophole related to defendants who are released on a summons and required to “remain of good behavior.”

- Explained that while this requirement currently exists, there is no clear statutory definition of what “good behavior” means.
- She noted that the bill was brought forward at the request of a prosecutor and deferred to that testimony for a more detailed explanation of how the issue arises in practice. No questions were asked.

Cayla Slaughter, a district court prosecutor serving multiple jurisdictions in lower Grafton County, testified in support and explained that the bill addresses a longstanding gap in enforcement.

- Stated that under current summons forms, defendants are required both to appear in court and to remain of good behavior. While failure to appear is clearly enforceable and carries criminal penalties, there is currently no statutory mechanism to enforce violations of the “good behavior” requirement. She explained that the legislature has already expressed the intent that defendants remain of good behavior, but has not provided the tools to enforce it.
- Explained that the bill would reduce unnecessary detentions because summons in lieu of arrest allow individuals to avoid being taken into custody, searched, and detained, instead simply requiring them to appear in court.
- Stated that the bill would also codify a definition of “good behavior” that courts already use in practice and that appears on bail forms, bringing consistency into statute. Additionally, she noted that the bill clarifies how long a person is subject to the conditions of a summons and outlines potential defenses for violations.

Chief David Suckling of the Alexandria Police Department, speaking on behalf of himself and the New Hampshire Chiefs of Police Association, testified in support. He stated that he had little to add beyond the prosecutor’s explanation but confirmed that law enforcement supports the bill.