

Senate Judiciary Committee

Brendan Bunnell 271-4063

AMENDMENT # 2026-1224s, to HB 1236-FN, relative to recordings of custodial interrogations.

Hearing Date: April 7, 2026

Time Opened: 1:49 p.m.

Time Closed: 1:56 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 custodial interrogations to be recorded and precludes admissibility of unrecorded custodial interrogations in criminal or juvenile matters absent a reasonable justification.

Sponsors:
Rep. Scherr

Who supports the amendment: Representative Buzz Schernr, Joe Costanza, Nathaniel Blair and Suzanna Derynioski.

Who opposes the amendment: Pat Sullivan.

Who is neutral on the amendment: None.

Summary of the testimony presented:

Senator Tara Reardon introduced the amendment, explaining that it would allow officers of County Departments of Corrections to wear body cameras both inside their facility and when on duty outside their facility.

Joe Costanzo, Superintendent at the Hillsborough County Department of Corrections, spoke in support of the bill. He explained that RSA 30-B outlines the responsibilities of County Corrections Departments and that this bill would modify that statute to authorize the use of body cameras outlined by RSA 105-D.

- Explained that the use of body worn cameras would be beneficial for the work done by the department in community corrections, their pre-trial service programs, and substance misuse programs that monitor offenders. He explained that these cameras also aid in the work done within jails and facilities, including in the de-escalation of inmate behavior.
- Explained that current facilities only feature overhead cameras without any kind of audio recording.
- Senator Gannon asked whether an officer might have to disable his body camera when transporting an individual to or from a hospital.
 - Officer Costanzo answered that language concerned with these scenarios is already included in RSA 105-D, and that an officer might be required to disable their camera in compliance with HIPPA.
- Senator Altschiller asked the officer to speak to how this practice can contribute towards de-escalation.
 - Officer Costanzo answered that he had been working in this field for 18 years and that it was his experience that individuals deescalate their behavior when they know that they are being recorded by audio and video cameras.
 - Explained that officers in these facilities face various accusations from inmates, threats, and violent attacks that may require prosecution; adding that they are currently housing the most violent inmates in the facility's history.
 - Stated that from speaking with police officers, it was his understanding that the presence of a body worn camera was liable to deescalate situations while on duty and that this could be extended to facilities
- Senator Altschiller asked for confirmation that the presence of body worn cameras provided a better view of incidents and how they occurred than the existing overhead cameras.
 - Officer Costanzo answered that this was correct, and that it also would aid his department in dealing with allegations concerning the Prison Rape Elimination Act, or PREA. His department has received their accreditation for PREA, and the officer explained that their creditor claimed body worn cameras expedited the process of managing these claims significantly.