

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1637, relative to the scheduling of hearings on certain motions to modify or revoke bail.

Hearing Date: April 28, 2026

Time Opened: 1:31 p.m.

Time Closed: 1:43 p.m.

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

Members of the Committee Absent: Senators Carson and Abbas

Bill Analysis: This bill sets a time frame for the scheduling of hearings on certain motions to modify or revoke bail.

Sponsors:

Rep. Manos

Rep. Beauchemin

Rep. Gregg

Rep. Johnson

Rep. Meuse

Rep. Newell

Rep. Selig

Rep. M. Smith

Sen. Altschiller

Who supports the bill: Representative Zoe Manos, Representative Timothy Horrigan, Representative David Meuse, Sofia Holmes, Haley Demers, Tami Lanzillo Zeimetz, and Pamela Harders.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of the testimony presented:

Representative Zoe Manos introduced the bill. She explained that it came out of the murder of Marisol Fuentes in Berlin, New Hampshire in July of 2025. She explained that Ms. Fuentes had taken every step possible to protect herself from her violent husband, including obtaining a permanent order of protection, filing for divorce, and seeking further enforcement of her protective order in contempt in a circuit court. Despite this, she was murdered by her husband at her workplace.

- She explained that after the murder of Ms. Fuentes, the judicial branch and the Attorney General's office each undertook reviews to determine what the failures had been and what additional protections were needed to prevent tragic deaths or injuries for victims of domestic violence.

- She explained that the bill required that when a motion to modify or revoke bail is filed by either the state or the defense in domestic violence, stalking, or harassment cases, the hearing on the motion will be scheduled within 72 hours, excluding weekend, state, and federal holidays.
- She explained that the bill did not require that the hearing be held within 72 hours, only that it be scheduled.
- She explained that escalation can happen very quickly in cases of domestic violence, stalking, or harassment, and that it is critical that the prosecution and defense can get a hearing date scheduled expeditiously.
- She explained that scheduling a motion to modify or revoke bail within a short period of time could prevent defendants from potentially continuing to hurt other individuals while on bail, as occurred in the case of Marisol Fuentes. In that case, the defendant had sexually assaulted a 17-year-old after the bail conditions had been set.
- She stated that Lauren Warner, the Deputy General Counsel for the New Hampshire judicial branch had reached out to her the previous Friday, and had pointed out that the bill as drafted only applied to motions to appeal the terms of bail in domestic and stalking cases in the superior court. She explained that the amendment to the bill, prepared by Senator Altschiller, would extend the authority of the bill to the circuit court.
- Senator Altschiller stated that while her name was on the amendment to the bill, the representative had taken the lead on its drafting. The issues that are in the amendment were requested by Lauren Warner and the administrative branch of the trial court.
- Representative Manos stated that while Ms. Warner and the administrative branch takes no formal position on the bill, they were generally supportive.
- Senator Altschiller asked whether Representative Manos worked as an attorney representing domestic violence victims, and whether survivors of domestic violence had expressed to her that a bill addressing this gap would have helped them.
 - Representative Manos answered that she was, but that she had not run into this issue in her practice specifically. She stated that she believed it had been raised in the Attorney General's report on Ms. Fuentes' situation.

Representative David Meuse spoke in support of the bill. He explained that when there are gaps and ambiguities in our law, it becomes very difficult to apply that law consistently and fairly, and increases the risk that the system will fail the victim. He explained that this bill would impose a deadline on courts and argued that, when an individual's safety is at risk, these kinds of bail issues should not be allowed to sit around for weeks unresolved.

- He explained that the bill being heard was one of a flurry of bills that were filed in response to the murder of Marisol Fuentes the prior summer. He explained that after all the media coverage, press releases, investigations, by the Attorney General's office, and a judicial commission which pointed out systemic failures, only two bills from those filed had survived this process. He explained that this was one of those bills.
- He stated that while it was a good thing that these two bills are passed and now in the hands of the Senate, he felt that legislators had to ask themselves, "Is that all there is?" He stated that these two bills addressed the shortcomings identified by the Attorney General's report in small ways, but that there are many other things that are un-addressed. He stated that while not all of the legislation that came in front of his committee on this issue was perfect, if he had to grade the performance of the legislature when it came to closing the system gaps that have been identified in the system, he would give the legislature an "F."