

Senate Judiciary Committee

Pete Mulvey 271-4063

HB 218-FN, relative to providing victims of crime with a free police report of the investigation.

Hearing Date: April 3, 2025

Time Opened: 1:22 p.m.

Time Closed: 1:33 p.m.

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

Members of the Committee Absent : Senator Abbas

Bill Analysis: This bill provides victims of crime with a right to request a free initial police report and, following the conclusion of the investigation or case, a free copy of the complete case file.

Sponsors:

Rep. J. MacDonald

Rep. Crawford

Rep. Maggiore

Rep. Pauer

Rep. Rung

Sen. Abbas

Who supports the bill: 11 individuals signed in support of HB 218-FN. Contact peter.mulvey@gc.nh.gov for further information.

Who opposes the bill: N/A

Who is neutral on the bill: One individual signed in as neutral toward HB 218-FN. Contact peter.mulvey@gc.nh.gov for further information.

Summary of testimony:

Representative John MacDonald

Carroll – District 6

- HB 218-FN provided victims of crimes with a copy of the police report for free.
- An amendment was underway for HB 218-FN. Rep. MacDonald asked the committee to defer any executive action until the appropriate amendment had been reviewed.

Steven Endres

Assistant County Attorney, Merrimack County Attorney's Office

- Mr. Endres identified himself as a stakeholder working on the aforementioned amendment and appeared for questions.

- Sen. Altschiller asked if HB 218-FN was concerned with victims and provided them with a report of their own experience.
 - Mr. Endres replied affirmatively.
- Sen. Altschiller asked Mr. Endres to elaborate upon and justify the amendment in question.
 - Mr. Endres shared his concerns with providing a report prior to trial or litigation.
 - Once a police report was provided to a victim, they could do whatever they wanted with it.
 - If a victim were provided with a report and published it, a defendant's right to a fair trial would be negatively impacted.
 - Case law exists which suggests that awareness of testimony can result in a tailored argument and can ultimately be used to impeach a defendant.
 - Mr. Endres indicated that the same could be used against a victim should they be allowed to view information that would otherwise be sequestered.
 - Case files and police reports were referenced in HB 218-FN. Criminal records and components of case files were confidential by statute, and may encompass medical records among other things.
 - Mr. Endres supported giving victims information and police reports but had concerns on the process occurring pre-trial.
 - Confidential information needed to be addressed.
 - It was understandable for victims to have access to their reports to provide to their employer or landlord.
 - Mr. Endres believed that the amendment in progress addressed the stated concerns. Mr. Endres referred to the victim's bill of rights which provided notification on behalf of victims, adding that it would be expanded upon with the current amendment.
- Sen. Reardon asked if, in some instances, victims turned out to be codefendants in a crime.
 - Mr. Endres believed that the definitions in the victim's bill of rights sufficiently protected against any ambiguities or unfair classifications.
- Sen. Reardon asked if a report would be provided within seven days.
 - Mr. Endres said that was correct and indicated that was another concern with the bill. Investigations were ongoing, reports were voluminous for certain cases. Mr. Endres believed the intention was to provide victims something to show their employer or landlord, which the victim's bill of rights already satisfied in theory.

Pamela Keilig

New Hampshire Coalition Against Sexual and Domestic Violence

- Ms. Keilig supported the bill and extended gratitude to the sponsor and stakeholders.