

Senate Judiciary Committee

Pete Mulvey 271-4063

HB 62-FN, relative to protection of persons from domestic violence and military protective orders.

Hearing Date: April 17, 2025

Time Opened: 1:03 p.m.

Time Closed: 1:15 p.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill:

I. Requires the adjutant general to provide national guard victims of sexual assault or sexual harassment financial assistance to allow the victim to participate in proceedings related to the assault or harassment.

II. Permits the introduction of military protective orders in proceedings for civil domestic violence protective orders.

Sponsors:

Rep. Roy

Rep. Creighton

Rep. Edwards

Rep. Moffett

Rep. Rhodes

Who supports the bill: 34 individuals signed in support of HB 62-FN. Contact peter.mulvey@gc.nh.gov for further details.

Who opposes the bill: Two individuals signed in opposition to HB 62-FN. Contact peter.mulvey@gc.nh.gov for further details.

Who is neutral on the bill: One individual signed in as neutral toward HB 62-FN. Contact peter.mulvey@gc.nh.gov for further details.

Summary of testimony:

Representative Terry Roy

Rockingham – District 31

- Rep. Roy introduced HB 62, which he identified as a request of the Department of Defense.
- The Department of Defense has sought to merge military doctrine and common law, to benefit victims in obtaining a protective order in the civilian world.

- A military commander may issue a protective order, however, such only applied on military bases and premises.
- HB 62 would permit law enforcement to enforce military protective orders in civilian jurisdictions.

Melissa Willette

Regional Liaison, Department of Defense

- HB 62 ensured consistent safety across jurisdictions, which Ms. Willette found to be a critical feature for populations which moved frequently.
- In the absence of HB 62, the costs associated with additional legal proceedings are lofty and burdensome for service members.
- Ms. Willette maintained that stability was paramount for a service member's performance and was critical toward mission success.

Pamela Keilig

New Hampshire Coalition Against Sexual and Domestic Violence

- Ms. Keilig spoke in support of HB 62.
- Ms. Keilig concurred with the previous speakers' statements.
- HB 62 enabled victims of assault to access critical financial assistance for their proceedings, as well.
- Ms. Keilig supported that the bill recognized military protective orders in common law proceedings.
- Ms. Keilig urged the committee to pass HB 62.

Nicole L. Desilets – Bixler

Deputy Adjutant General – Department of Military Affairs and Veteran Services

- Ms. Desilets-Bixler signed in support of HB 62.
- HB 62 codified the military protective order and made such admissible in civilian courts.
- Travel funds for attending any adverse military proceeding, or military code of justice proceeding would be provided to assist victims under HB 62.
- Funds for travel and proceedings would come from the State General Fund according to Ms. Desilets-Bixler.

Major Ryan Ollis

Attorney – New Hampshire National Guard

- Maj. Ollis signed in as neutral toward HB 62.
- Military protective orders cannot be enforced by civilian law enforcement and cannot be enforced outside of active duty.
- Under NH RSA 178-A:3, the law arguably permitted admission of military protective orders should a judge determine it appropriate.

- Victims will often leave the military before an adverse military separation could occur, which made support difficult according to Maj. Ollis.
- HB 62 would enable the Adjutant General to provide reasonable support for transportation amid proceedings.
- Sen. Gannon asked if judges weren't accepting military protective orders in court.
 - Major. Ollis said he was unaware of any instances and reiterated that the purpose was to assert that these were admissible, and not that they simply may be at the discretion of a judge.

Kevin Grady

State Veterans Advisory Committee

- The SVAC supported HB 62.
- Mr. Grady maintained that If protective action is required, such action and enforcement ought to be seamless between the military and civilian world.

PM

Date Hearing Report completed: April 21, 2025