

Senate Judiciary Committee

Pete Mulvey 271-4063

HB 602, requiring certain offenders to participate in a victim impact program.

Hearing Date: April 17, 2025

Time Opened: 1:27 p.m.

Time Closed: 1:45 p.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill requires offenders of certain laws related to impaired driving to participate in an online victim impact panel program.

Sponsors:

Rep. N. Murphy
Sen. Prentiss

Rep. Meuse
Sen. Ricciardi

Sen. Perkins Kwoka
Sen. Fenton

Who supports the bill: nine individuals signed in support of HB 602. Contact peter.mulvey@gc.nh.gov for further details.

Who opposes the bill: One individual signed in opposition to HB 602. Contact peter.mulvey@gc.nh.gov for further details.

Who is neutral on the bill: N/A.

Summary of testimony:

Representative Nancy Murphy

Hillsborough – District 12

- Representative Murphy introduced HB 602, which requires that online victim’s impact panel programs must meet court ordered program standards and be assigned to individuals caught driving under the influence.
- Rep. Murphy detailed that impaired driving was a significant issue. 145 lives were lost on New Hampshire roadways in 2024; many of whom were impaired or died as the result of impaired driving.
- Rep. Murphy added that protecting impaired drivers and the public at large must feel futile for law enforcement.
- Victim’s Impact panels saved lives and decreased recidivism for offenders.

- The Merrimack Police Chief had contacted Rep. Murphy to describe the online victim impact panel program. It was different than in person programs, which may not be consistent.
- As amended by the house, the program fee will be paid by the participant, not the State, under certain circumstances.
- Should HB 602 pass, any program which met the requirements of the bill's definition would be eligible, not just the program spoken to by Rep. Murphy.
- Sen. Gannon asked if the intent of HB 602 was to compel a guilty plea and cooperation.
 - Rep. Murphy said the intent was to decrease recidivism with offenders.
- Sen. Altschiller asked Rep. Murphy for the definition of a qualified program.
 - Rep. Murphy pointed to line three of the legislation for the criteria.
- Sen. Altschiller asked if the language was new and not preexisting in statute.
 - Rep. Murphy said that was correct.

Denise Roy

Former Chief of Police – Merrimack

- Ms. Roy spoke in support of HB 602.
- Drunk driving was tragic and entirely preventable.
- New Hampshire has seen an ever increasing 5,000 impaired drivers annually.
- Ms. Roy speculated that the actual number of impaired drivers, which includes those who weren't caught, is likely significantly higher.
- As a police officer, you arrest someone and then have no concept of what happened to them afterwards. HB 602 would enable follow-up and support.
- Ms. Roy recognized that victim's impact panels were not widely known or utilized in general.
- A victim impact panel will comprise 2-3 victims, or relatives of victims, to share their stories of how impaired driving impacted them.
- An effective victim impact panel should aim to influence individuals on an emotional level
- Ms. Roy clarified that the panels should not be designed to shame, judge, or lecture the individual. An individual must understand the ripple effects of their behavior.
- If individuals were forced to sit and listen, they were likely to disengage.
- Questions, answers, and self-reflection drove home the consequences of actions.
- Panels must have a diverse range of stories to offer to a diverse range of offenders.
- Ms. Roy emphasized that the cost to the State was nothing to provide such programming.
- Sen. Gannon asked what the incentive was for an individual to participate in the program
 - Ms. Roy clarified that the bill was written to make impact panels mandatory if convicted for a first-time offense, and ensured they were still mandatory for those who plead down from what were initially impairment charges.

Tara Diamond

- Ms. Diamond spoke in support of HB 602.
- There were over a million impaired driving arrests annually.
- Beyond loss of life and injury, there were immense emotional and financial costs to impaired driving.
- A third of people arrested for impaired driving will continue to be arrested for impaired driving according to Ms. Diamond.
- Evidence based practices such as those contained in HB 602 reduced recidivism.

- An effective victim impact panel can reduce rates of recidivism from 40% to 3%.

Brian Levesque

Chief of Police – Merrimack Police Department

- Chief LeVesque had participated in a Victim's Impact Panel before.
- Chief Levesque stated that the panel emphasized the real, personal nature of the issue and made individuals reflect.
- The Chiefs of Police Association supported the legislation as well according to Chief Levesque.

PM

Date Hearing Report completed: April 21, 2025