



The New Hampshire House of Representatives

107 North Main Street | Concord, NH 03301

For Immediate Release
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Contact: NHHouse@leg.state.nh.us
603.271.3664

Concord, NH: Representative Terry Roy (R-Deerfield), Chairman of the House Criminal Justice and Public Safety Committee, released the following statement after the committee unanimously passed four bills that will improve the state's bail system on Wednesday:

We heard hours of testimony from all the stakeholders and in the end, won their full support. Many thanks to the ACLU, the Chiefs of Police Association, the Attorney General, the County Attorneys, representatives of the Courts, and our constituents – and many others who gave up their time to give testimony.

A bipartisan subcommittee of five Democrats and five Republicans worked through the legislative break and through Fall to carefully craft legislation for:

HB 318 – relative to eliminating bail commissioners, and relative to the release of a defendant pending trial and establishing new circuit court judge positions.

HB 653 – prohibiting personal recognizance bail for violent crimes.

SB 249 – relative to the release of a defendant pending trial.

SB 252 – relative to release of a defendant pending trial.

***Please see the Legislative Solutions Sheet from the Committee attached.**

It is important to reiterate the bipartisan nature of our work. We never approached this issue from the left or the right. We listened and learned as a group and produced what we believed to be the best answers for our citizens. I would especially like to thank Representative Linda Harriott-Gathright (D-Nashua) for her leadership in her role as the senior Democratic member of the Committee, Representative Alissandra Murray (D-Manchester) for their diligence as the Clerk of the Committee, Representative David Meuse (D-Portsmouth) for his collaboration on this important issue and Representative Jennifer Rhodes (R-Winchester), who is the Committee Vice-chair, for her hard work and leadership to continue driving this effort forward.

I look forward to presenting our work to the full House in January and working with our Colleagues in the Senate to see this effort move forward successfully to the Governor's desk.

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Legislative Solutions to Bail Bills SB 249, SB 252, HB 318 and HB 653

The House Criminal Justice and Public Safety Committee came to an agreement on solutions we all could support. These solutions include but are not limited to:

1. Allocating funds to the Department of Safety to upgrade their electronic communications systems to ensure officers know if someone is free on bail.
2. Implementing the new position of Magistrate within the Court system to both hear more serious bail issues when the courts are closed and assist with various functions within the courts to help free up judges.
3. Lowers the high evidentiary standard to hold someone for dangerousness.
4. Adopt a list of 14 of the most serious felonies that may not be brought to a bail commissioner and instead must be heard by a judge or magistrate.
5. Mandate minimum levels of training for bail commissioners.
6. Ensure that bail commissioners are paid by the courts for their services, allowing the courts to collect bail fees from defendants.
7. Mandate electronic monitoring for anyone arrested for a violation of a protective order who is to be released by a judge pending trial.
8. Allocate funding for the courts to allow them to tie into the Department of Safety system for updating bail and warrants.
9. Ensure that no one is held for more than 24 hours without a decision being made on their ability to be released on bail.
10. Ensure that cash bail is not used to hold people who cannot afford to pay it, instead of either holding them or releasing them based on the totality of the circumstances surrounding their arrest and criminal history.
11. Mandate that defendants are made aware of various programs in their area to assist with substance addiction and mental health.
12. Task the existing Interbranch Criminal Justice Council with examining and recommending legislation on several of the more pressing issues facing the state, such as the establishment of a statewide pretrial services model for counties to use and apply for funding assistance from if their system meets a minimum criteria.
13. Require the notification by law enforcement of victims of violent crimes at least 1 hour prior to any alleged offender is released on bail.