

Bill as
Introduced

HB 1372 - AS INTRODUCED

2010 SESSION

10-2439

04/05

HOUSE BILL **1372**

AN ACT establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

SPONSORS: Rep. Winters, Hills 17; Rep. R. Holden, Hills 7

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes a commission to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Commission Established. There is established a commission to study permitting a person to
2 record a law enforcement officer in the course of such officer's official duties.

3 2 Membership and Compensation.

4 I. The members of the commission shall be as follows:

5 (a) Three members of the house of representatives, appointed by the speaker of the
6 house of representatives.

7 (b) Two members of the senate, appointed by the president of the senate.

8 (c) One member from the New Hampshire Association of Chiefs of Police, appointed by
9 such association.

10 (d) One member from the New Hampshire Civil Liberties Union, appointed by such
11 organization.

12 II. Members of the commission shall receive mileage at the legislative rate when attending
13 to the duties of the commission.

14 3 Duties. The commission shall study the provisions of RSA 570-A, the wiretapping and
15 eavesdropping statute, to determine if revisions are needed to update the statute and shall study any
16 issues associated with permitting any person to make a video and audio recording of a law
17 enforcement officer in the course of such officer's official duties. The commission may solicit
18 testimony from any person with information or expertise relevant to the commission's objective.

19 4 Chairperson; Quorum. The members of the commission shall elect a chairperson from among
20 the members. The first meeting of the commission shall be called by the first-named house member.
21 The first meeting of the commission shall be held within 45 days of the effective date of this section.
22 Four members of the commission shall constitute a quorum.

23 5 Report. The commission shall report its findings and any recommendations for proposed
24 legislation to the speaker of the house of representatives, the president of the senate, the house
25 clerk, the senate clerk, the governor, and the state library on or before November 1, 2010.

26 6 Effective Date. This act shall take effect upon its passage.

members of

Amendments

Amendment to HB 1372

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a committee to study the provisions of RSA 570-A, the wiretapping
4 and eavesdropping statute, and to study permitting a person to record a law
5 enforcement officer in the course of such officer's official duties.
6

7 Amend the bill by replacing all after the enacting clause with the following:

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10 record a law enforcement officer in the course of such officer's official duties.

11 2 Membership and Compensation.

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14 criminal justice and public safety committee, appointed by the speaker of the house of
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Amendment to HB 1372
- Page 2 -

2010-0294h

AMENDED ANALYSIS

This bill establishes a committee to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1372

BILL TITLE: establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

DATE: January 7, 2010

LOB ROOM: 204 **Time Public Hearing Called to Order:** 11:00 a.m.

Time Adjourned: 11:40 a.m.

(please circle if present)

Committee Members: Reps. Shurtleff, Pantelakos, Berube, Robertson, Movsesian, Burridge, Cushing, Rodd, Chandley, B. McCarthy, M. Ryder, Welch, Charron, Pesh, Weare, Stevens, Villeneuve, Gagne, Swinford and Willetts.

Bill Sponsors: Rep. Winters, Hills 17; Rep. R. Holden, Hills 7

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Ryder - Presented bill in absence of prime sponsor.

*Rep. Winters - Prime sponsor.

- Submitted proposed amendment to create a Chapter Study Committee.

Dorothy Lafortune - For herself. In support.

- Had handouts re personal issue related to.

*Joseph Hass - For himself. In support.

- Provided copy of testimony.

*Howard Wilson - For himself. In support.

- Provided copy of testimony.

John Miller - For himself. In support.

Katherine Cooper - N. H. Association of Criminal Defense Attorneys'

- In support.

HB 1372 Page Two - Continued

Katherine Cooper (Continued)

- Wants their association added to list of members.

William McFarlin - Representing himself.

- In support.
- Spoke of personal experience.

Marie Miller - In support.

Timothy Chrysoston - In support.

**Subcommittee: Rep. Laura Pantelakos, Chair
Rep. Stanley E. Stevens
Rep. Everett A. Weare**

Respectfully Submitted:



Rep. Stanley E. Stevens, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1372

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Bill Sponsors: Rep. Winters, Hills 17; Rep. R. Holden, Hills 7

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

HB 1372

7 JAN 2010

Start : 1100

Finish : 1140

Rep Pyler presented bill in absence of prime sponsor.

Rep Kintner prime sponsor.

- o submitted proposed amendment to create a Chapter Study Committee.

Dorothy Lafortune for herself in support

- o had handouts re personal issue related to

~~for~~

Joseph Hass for himself in support

- o provided copy of testimony

Howard Wilson for himself in support

- o provided copy of testimony

John Miller for himself in support

over

Katherine Cooper NH Assn of Criminal Defense Attys.

- in support
- wants their assn added to list of members

William Mc Farlin rep. himself

- in support
- spoke of personal experience

Marie Miller in support

Timothy Chrysoston in support

Sub Comm:

Pantelakos, Chair, Stevens, Weare

Sub-Committee Minutes

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY
***RECESSED UNTIL FEBRUARY 1, 2010 AT 11:00 A.M.**
SUBCOMMITTEE WORK SESSION ON HB 1372

BILL TITLE: establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

DATE: January 25, 2010

Subcommittee Members: Reps. Rep. Laura Pantelakos, Stevens and Welch
Rep. Winters, Blaisdell and Sargent.

Comments and Recommendations: Make this a study committee – delete C and D. Make one Rep. from the Criminal Justice. 4 Reps., 1 Senator. Reduce Quorum. Should be 3 for a Quorum. Report by November 1, 2010. The committee decided to make an amendment portion of the bill. Closed hearing at 11:30 a.m.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Laura A. Pantelakos, Chair
Subcommittee Chairman/Clerk

Jan 25, 2010

H. B. 1372

11:00

Make this a study committee
delete C and D. Make one Rep from
the Criminal Justice. 4 Reps 1 Sen.
reduce Quorum. Should be 3 for a
Quorum. Report by Nov. 1, 2010.

The committee decided to make
an Amendment portions of the Bill.

Closed 11:30

Members present Rep Pantelakos, Stevens,
Welch

Rep Winters, Blaisdell, Sarsant

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY
***RECONVENED, RECESSED FROM JAN. 25, 2010 AT 11:00 A.M.**
SUBCOMMITTEE WORK SESSION ON HB 1372

BILL TITLE: establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

DATE: February 1, 2010

Subcommittee Members: Reps. Pantelakos, Stevens, and Weare

Comments and Recommendations:

Amendments:

Sponsor: Rep. Stanley E. Stevens	OLS Document #:	2010	0294h
Sponsor: Rep. Everett A. Weare	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Stanley E. Stevens

Seconded by Rep. Everett A. Weare

Vote: 3-0

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Laura A. Pantelakos, Chair
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

SUBCOMMITTEE WORK SESSION ON HB 1372

BILL TITLE: establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

DATE: February 1, 2010

Subcommittee Members: Reps. Pantelakos, Stevens, and Welch *Weave*

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep.
Subcommittee Chairman/Clerk

Feb 1, 2010 11:AM

Room 204

Members present, Pantelakos, Stevens,
Weare

Amendment 0294h accepted

Stevens moved the motion OTPA.

Weare seconded

The motion passed 3-0

Rep Laura Pantelakos

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2010-0294h

AMENDED ANALYSIS

This bill establishes a committee to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

Testimony

1372

1002

HB 1441 (victims) + HB 1372 (to record crooked COPs)

From: Joseph S. Haas (josephshaas@hotmail.com)
Sent: Mon 1/04/10 11:08 AM
To: renny.cushing@leg.state.nh.us; josephshaasjr@hotmail.com
Cc: joel@joelwinters.org; ripholden@msn.com

Rep. Cushing:

Please put this into the file in case I don't, make it there for verbal testimony this Thursday morning 1-7-10 @ 10:00 a.m.

I like your extra words of "regardless of whether the offender was convicted or the conviction was vacated or reversed for any reason" and would like to hear about examples of victim(s) who got screwed by like decisions from the A.G.'s Office that because the statute reads thus they are not eligible as a "victim". Myself a victim of BOTH the perpetrator of the crime AND the judge who does an "Official Oppression", as a victim of THAT crime too!!

Joe Haas


Best wishes, Joe / Joseph S. Haas, P.O. Box 3842, Concord, N.H. 03302, Tel. 603: 848-6059 (cell phone), e-mail: JosephSHAas at hotmail dot com

Founding Member with 19 others (Including 3 State Reps of: Roland Hemon, Paul Taylor and Bill McCann) of: V.O.C.A.L.S., Inc. [Victims of a Corrupt American Legal System] that needs to re-file with the Corporation Division of The Office of Secretary of State this Year 2010 and every other decade of the year number ending in a zero, and invite you* to join the group.

* + cc: to both Reps. on that wiretapping House Bill # 1372 also, to likewise mark me down as in support of this ~~commission to study RSA 570-A~~ or to be able to record "law enforcement officer"s and especially when they do operate ABOVE the law, as outlaws!

A copy and paste from <http://nhunderground.com/forum/index.php?topic=3868.9390> to follow as Reply #9403 (my actual Reply #2474) on page 627 with the hyperlink:

<http://nhunderground.com/forum/index.php?topic=3868.9390>
JosephSHAas

- Enemy of the State
- 



- Posts: 2474
- Karma: 997
-

3

mm

24/1/10 # 9403 in p. 627

4 p.m. 3868.9190

H B 1372

807.

2474
597

New Hampshire Underground

simplemachines forum



Hello JosephSHAas

Show unread posts since last visit.
Show new replies to your posts.
January 04, 2010, 09:46 AM NHFT

Search

News:
Visit the Underground Wiki

"Let them march all they want, as long as they pay their taxes." --Alexander Haig

Home Help Search Profile My Messages Tags Calendar Members Logout

New Hampshire Underground » New Hampshire Underground » General Discussion » **Post reply** (Re: Main thread for Ed and Elaine Brown vs the evil IRS)

Re: Main thread for Ed and Elaine Brown vs the evil IRS

http://www.gencourt.state.nh.us/house/caljourns/calendars/2010/houcal2010_04.html

"THURSDAY, JANUARY 7...

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204 LOB

I.) 10:00 a.m. HB 1441, * relative to claimant eligibility for victim's compensation.

10:45 a.m. ...

II.) 11:00 a.m. HB 1372, ** establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties...."

Log
Party
nullified in

http://www.gencourt.state.nh.us/bill_status/

* <http://www.gencourt.state.nh.us/legislation/2010/HB1441.html>

SPONSORS: Rep. Cushing, Rock 15 <http://www.gencourt.state.nh.us/house/members/member.aspx?member=376111> Representative Robert Cushing (d)

Rockingham- District 15 Seat #:3119 Former

Home Address: 395 Winnacunnet Rd., Hampton, NH 03842-2732 Phone: (603)926-2737

D Email renny.cushing@leg.state.nh.us CRIMINAL JUSTICE AND PUBLIC SAFETY, Position: Member Telephone: 271-3565

"... Amend RSA 21-M:8-h, I(a) [<http://www.gencourt.state.nh.us/rsa/html/I/21-M/21-M-8-h.htm>] to read as follows:

I.(a) Victims eligible for compensation are:

(1) Any person who sustains personal injury as a result of a felony or misdemeanor, regardless of whether the offender was convicted*** or the conviction was vacated or

①

JSR

P. J. ...
1/4/2010 10:38 AM

reversed for any reason; or"

1/8/2010 10:32

*** or even an attempt at prosecution, as in when a judge does an RSA Ch. 643:1 "Official Oppression" <http://www.gencourt.state.nh.us/rsa/html/LXII/643/643-1.htm> to <http://www.gencourt.state.nh.us/rsa/html/LXII/640/640-2.htm> to dismiss a case based upon the dissenting opinion in a N.H. Supreme Court case, reference: Judge Edwin W. Kelly of Plymouth and of the Concord District Court <http://www.courts.state.nh.us/courtlocations/merrdistdir.htm#Concord> misusing the Premo case of 2002 <http://www.courts.state.nh.us/supreme/opinions/2002/0209/marti098.htm> , re: his office at the Johnson Building on Pleasant Street, in his refusal to allow a check-and-balance criminal case of simple assault against a Deputy U.S. Marshal, Mr. Jamie Barry to proceed when he KNOWS that the crime was WITHIN the state jurisdiction and NOT federal since the Feds have FAILED to file their 40USC255 to 40USC3112 papers [See: http://www.law.cornell.edu/uscode/40/usc_sec_40_00003112----000-.html see also: http://www.usdoj.gov/usao/eousa/foia_reading_room/usam/title9/crm00664.htm (dot htm) and <http://www.givemeliberty.org/RTPlawsuit/Misc/PressStatementSchulz9-16-03.htm> (dot htm) plus the original <http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=393575> for 40USC255.] with Bill Gardner's Office of Secretary of State <http://www.sos.nh.gov/> as required by the "shall" word in N.H. R.S.A. Ch. 123:1 from 1-8-17 U.S. Constitution, because our conditional consent of June 14, 1883 has never been accepted according the the Adams case of the U.S. Supreme Court ion 1943.

Th + Pt 2
my
time!

II.) ** HB 1372 <http://www.gencourt.state.nh.us/legislation/2010/HB1372.html>
 SPONSORS: Rep. Winters, Hills 17; Rep. R. Holden, Hills 7


(1) <http://www.gencourt.state.nh.us/house/members/member.aspx?member=376709>
 Representative Joel Winters (d) Hillsborough- District 17 Seat #:2073
 Incumbent, Home Address: PO Box 135, Nashua, NH 03061-0135
 Phone: (603)624-5635, Email: [joel at joelwinters.org](mailto:joel@joelwinters.org) COMMERCE AND CONSUMER
 AFFAIRS Position: Member Telephone: 271-3369
 Personal Website: <http://www.joelwinters.com/>









(2) <http://www.gencourt.state.nh.us/house/members/member.aspx?member=376351>
 Representative Rip Holden (r) Hillsborough- District 07 Seat #:5012 Incumbent
 Home Address: 35 East Union, Goffstown, NH 03045
 Phone: (603)384-1922 Email: [righolden at msn.com](mailto:righolden@msn.com)
 COMMERCE AND CONSUMER AFFAIRS Position: Member Telephone: 271-3369

To add in a part I (e) one member from V.O.C.A.L.S., Inc. [Victims of a Corrupt American Legal System], appointed by such organization.

Post reply



















Subject: Re: Main thread for Ed and Elaine Brown vs the evil IRS
























Message icon: Standard 









 Font Face

 Font Size

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 # 








[more]

(2)

Howard L. Wilson
57 Agony Hill Road
Andover, NH 03216
stoneanarch@tds/net

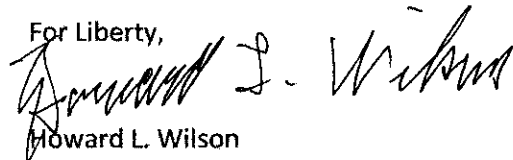
Criminal Justice & Public Safety Committee
January 7, 2010 ~~11 AM~~ 204 LOB HB 1372
11:21

I thank sponsors, for this legislation. The 2 parts of the study, encompass government trespass on the privacies of individuals & organizations, for varied reasons deemed criminal and the practice of taping a police agent in the course of his duties, to be more certain that he/she is doing their lawful work. Sadly, this second action is deemed potentially criminal, even while knowing that this action can also safeguard those same police agents, when they are accused of violating the Rights of Individuals, they are supervising, or supplement complaints against them for violating the Rights of individuals.

The 2 parts of this legislation, are the mirror images of each other, and should be considered as a package, with equal time, for each side of these 2 issue.

And short shrift given to the violations of the Rights of Individuals, in favor of additional restraints on the violations portions of this legislation, as supplementing the Rights of Individuals.

For Liberty,



Howard L. Wilson

1 New Chapter RSA 570-C

RSA 570-C:1 Study of Wiretapping Laws

I. There is established a commission to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

II. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One members of the senate, appointed by the president of the senate.

(c) One member from the New Hampshire Association of Chiefs of Police, appointed by such association.

(d) One member from the New Hampshire Civil Liberties Union, appointed by such organization.

(e) The attorney general, or designee

III. Members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, to determine if revisions are needed to update the statute and shall study any issues associated with permitting any person to make a video and audio recording of a law enforcement officer in the course of such officer's official duties. The commission may solicit testimony from any person with information or expertise relevant to the commission's objective.

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VI. Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2010.

2 RSA 570-C, study of wiretapping laws, is repealed.

3 Effective Date.

Section 1 of this act shall take effect upon its passage.

Section 2 of this act shall take effect November 2nd, 2010.

To be filed on the court of record

April 7, 2009

Cert. Mail # 7006 2150 0005 2595 1390

Amy Feliciano, County Attorney
Strafford County Attorney's Office
P.O. Box 799
Dover, NH 03821-0799

**Re: State v. William Miller
07-S-1218, et seq.**

Dear Attorney Feliciano,

On February 9, 2009 I certified mail to you evidence of official corruption in the unlawful prosecution of William Miller. To date, I have not received a response from you.

Whereas you have been noticed of official corruption, obstruction of justice, judicial misconduct, violations of State and Federal violations, you are in direct conflict of interest in prosecuting William Miller. You **MUST** recuse yourself from this matter.

If, within 10 days from receipt of this correspondence, you do not rebut my correspondence of February 9, 2009, it will be mutually agreed upon that my facts are true and correct and that you are in conflict of interest in prosecuting William Miller.

This correspondence will be forwarded to Brian Lavalley, court appointed counsel to William Miller.

Sincerely,



Dorothy Lafortune
P.O. Box 187
Biddeford, ME 04005

cc: Strafford County Superior Court
Brian Lavalley, Esq.
House & Senate Judiciary Comm.
The Hague
Marie L. Miller

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Amy Feliciano, C.A. Stafford Co. Attorney Office P.O. Box 799 Dover, N.H. 03821-0799</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchand <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transit) <u>7006 2150 0005 2595 1390</u></p>	

PS Form 3800, February 2004 Domestic Return Receipt 102595-02-14-154

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Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.32

0906
 07
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 2009
 04/07/2009:005

Sent To *Amy Feliciano C.A.
 Stafford Co. Attorney's Office
 P.O. Box 799
 Dover N.H. 03821-0799*

US Form 3800, August 2006 See Reverse for Instructions

0621 5652 5000 0512 7007

February 9, 2009

Cert. Mail # 7006 2150 0005 2597 9974

Amy Feliciano, ACA
Strafford County Attorney's Office
P.O. Box 799
Dover, NH 03821-0799

Dear Attorney Feliciano,

I, and others, have been following the case of State of New Hampshire v. William Miller (07-S-1218, et seq.) in which you are now the prosecuting attorney.

A recent Motion to Continue Pre-Trial and Trial has been filed by court appointed attorney, Brian T. Lavallee. Per this motion, Attorney Lavallee has contacted you and indicates that you object to this motion.

For the record, I want to apprise you, and give notice, of my personal information, documentation and contact with your office and (former County Attorney) Janice Rundles, prior to your involvement in this action. On December 1 2006, I contacted Atty. Rundles regarding my request to meet with her regarding elder abuse, resulting in death, violations of oath of office by Farmington Police Chief, Scott Roberge and his officers, violations of state law and escalating to violations of Federal law. On December 6, 2006, I contacted Atty. Rundles again, via e-mail, confirming my conversation with Tom Hart that Atty. Rundles would not grant a meeting with me to review this case of elder abuse and assaults, one upon a disabled woman, in violation of the Americans with Disabilities Act. Shortly, thereafter, Atty. Rundles left your office and obtained a position in the Attorney General's Office. Additionally, Public Defender Linda Slamon was given documented evidence and within days withdrew her representation of William Miller. Neither your office, nor the Attorney General's Office, has investigated this horrific case that occurred in Farmington, NH, which has resulted in the State v. Miller case. The evidence presented reveals a pattern of official corruption within the Town of Farmington, in concert with Strafford County. This evidence may be admissible for purposes, such as proof of motive and intent by public officials to unlawfully incarcerate William Dexter Miller in order to silence him.

I became aware of the Miller family abuses by the Farmington, N.H. Police Department in March, 2007. The evidence of malfeasance of office and obstruction of justice by Farmington Police Chief, Scott Roberge reveals a pattern of corruption within that police department. The Miller family has suffered at the hands of Chief Roberge and so has my family. There is a parallel between our cases.

Criminal activity has been brought to your office and the Attorney General's Office, as well as other law enforcement agencies/officials in N.H., and everyone has turned a deaf ear. The public's safety is definitely at high risk in N.H. and leaves an impression of impropriety, undue influence, abuse of power, corruption and obstruction of justice by law enforcement and high ranking officials. Farmington Police Chief, Scott Roberge and Strafford County Prosecutor Janice Rundles, have knowledge of felonies committed, have obstructed justice and have failed in their duties and obligations as law enforcement officers and are guilty of Misprision of Felony, a federal offense. 18 USC § 4 Misprision of felony. **Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.** It shocks the conscience that law enforcement officers have breached the tenets of their sworn oaths of office and that their actions undermine the overall image of all law enforcement officers in the State of New Hampshire and violate the American With Disabilities Act.

The judicial misconduct, the violations of law, the violations of rights and the revelation of the real facts make this entire case illegal *ab initio*. The extensive egregious conduct of the state, in and of itself, requires outright acquittal and discharge.

I have in my possession documents from the Attorney General's Office submitted to that office by the Farmington Police Department, specifically Officer Scott Ferguson. His documents to A.G. Kelley Ayotte contain false statements and officer Ferguson's "file" to the A.G.'s office is incomplete. Officer Scott Ferguson is in violation of the following N.H. Criminal Code, Title LXII, Chap. 641, Falsification in official matters:

641:3 Unsworn Falsification. – A person is guilty of a misdemeanor if:

- I. He or she makes a written or electronic false statement which he or she does not believe to be true, on or pursuant to a form bearing a notification authorized by law to the effect that false statements made therein are punishable; or
- II. With a purpose to deceive a public servant in the performance of his or her official function, he or she:
 - (a) Makes any written or electronic false statement which he or she does not believe to be true; or
 - (b) Knowingly creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements therein from being misleading; or
 - (c) Submits or invites reliance on any writing which he or she knows to be lacking in authenticity; or
 - (d) Submits or invites reliance on any sample, specimen, map, boundary mark, or other object which he or she knows to be false.

641:4 False Reports to Law Enforcement. – A person is guilty of a misdemeanor if he:

- I. Knowingly gives or causes to be given false information to any law enforcement officer with the purpose of inducing such officer to believe that another has committed an offense; or
- II. Knowingly gives or causes to be given information to any law enforcement officer concerning the commission of an offense, or the danger from an explosive or other dangerous substance, knowing that the offense or danger did not occur or exist or knowing that he has no information relating to the offense or danger.

641:7 Tampering With Public Records or Information. – A person is guilty of a misdemeanor if he:

- I. Knowingly makes a false entry in or false alteration of any thing belonging to, received, or kept by the government for information or record, or required by law to be kept for information of the government; or
- II. Presents or uses any thing knowing it to be false, and with a purpose that it be taken as a genuine part of information or records referred to in paragraph I; or
- III. Purposely and unlawfully destroys, conceals, removes or otherwise impairs the verity or availability of any such thing.

(The Farmington Police Dept. is in possession of several complaints filed with the department relative to this matter. These complaints were not included with the documents that I received from the Attorney General's Office. With the documents provided to the A.G.'s office by officer Ferguson, it is highly unlikely that officer Ferguson would not know that his statements were false.)

Farmington Police Chief, Scott Roberge, is also in violation of the following N.H. Criminal Code, Title LXII, Chap. 641:5 – A person is guilty of a class B felony if:

- I. Believing that an official proceeding, as defined in RSA 641:1, II, or investigation is pending or about to be instituted, he attempts to induce or otherwise cause a person to:
 - (a) Testify or inform falsely; or
 - (b) Withhold any testimony, information, document or thing.

(False statements were made, by and through his attorney John Curran, at a judicial hearing.)

Whereas this matter has escalated to Federal violations, notwithstanding the fact that agencies/departments/entities involved operate with federal funding, Federal jurisdiction applies. I direct you to 18 U.S.C. § 1001, 241, 242, 1581, 1584.

My legitimate requests for a full and fair investigation into crimes committed in Farmington, N.H., to indict and prosecute where the evidence demanded, only resulted in Obstruction of Justice at all levels of government, denial of due process and retaliation against individuals who have such documented evidence.

Documents attached:

- (1) E-mail messages to:

Farmington Board of Selectmen: Paula Proulx, August 4, 10, 11, 2006
 Paul Parker, August 4, 10, 11, 2006
 George Meyer, August 4, 2006
 Paul Weston, Farmington Administrator, August 4, 2006
 Megan, Secretary, August 11, 2006
 Scott Roberge, Chief of Police, July 31, 2007; August 5, 2006
 Janice Rundles, County Attorney, December 1, 6, 2006
 Paula Proulx, January 13, 2008

E-mail messages from:
 Farmington Board of Selectmen: Paul Parker, August 5, 2006
 George Meyer, August 11, 2006

(2) National News article by Charlotte Ilesrby

With these documents alone, there exists sufficient evidence of probable cause to indict these officials.

Respectfully submitted

Dorothy Lafortune

Dorothy Lafortune
 P.O. Box 187

cc: Brian T. Lavallee
 Kelley Ayotte, A.G. (letter only)

Bi

PS Form 3811, February 2004

Domestic Return Receipt

2. Article Number: 7006 2150 0005 2597 9974
 (Transfer from service history)

1. Article Addressed to:
 Amy Feliciano PCA
 Steep Road County Attorney's Office
 P.O. Box 799
 Dover, NH 03821-0799

3. Service Type:
 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee)
 Yes
 No

5. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

6. Signature: *[Signature]*
 B. Registered Mail? Yes
 C. Date of Birth: Addn

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Certified Fee	\$ 2.70
Return Receipt Fee (Endorsement Required)	\$ 2.20
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 6.24

0005 FEB 10 10 AM '06
 Postmark Here
 02/10/2006

Sent to: Amy Feliciano, PCA
 Steep Road County Attorney's Office
 Street, Apt. No., or PO Box No.: P.O. Box 799
 City, State, ZIP+4: Dover, NH 03821-0799

PS Form 3800, August 2006 See Reverse for Instructions

4266 4652 5000 05T2 9002

pcastora@xpressamerica.net

From: "Paul S Parker" <Mapapa@metrocast.net>
To: "Dottie" <pcastora@xpressamerica.net>
Sent: Saturday, August 05, 2006 12:13 PM
Subject: Re: Urgent request for meeting

Ms. Lafortune

Just read your e-mail. This is a serious matter and I am concerned. Contacting Chairperson. Will be in touch as soon as possible. ♪

Paul S. Parker

— Original Message —

From: Dottie
To: pproulx@worldpath.net
Cc: mapapa@metrocast.net ; glm@metrocast.net
Sent: Friday, August 04, 2006 6:49 PM
Subject: Urgent request for meeting

Farmington Board of Selectmen
Paula Proulx, Chairman
Paul Parker, Vice Chairman
George Meyer

Dear Ms. Proulx, Mr. Parker and Mr. Meyer,

I am a resident of the State of Maine. As representatives of the Town of Farmington, I am requesting a meeting with you, as soon as possible, to discuss a personnel matter with you, specifically the job performance of the Farmington Police Department involving the elder abuse of a Maine man in Farmington, resulting in his death. I will present you with the facts and documentation when we meet.

I appreciate your consideration in this very serious matter. I will contact, via telephone, the members of the board who do not have an e-mail address, Gerald McCarthy and Martin Gilman. Should you have any questions, please contact me at 207-751-2007.

• •Dorothy Lafortune

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.1.394 / Virus Database: 268.10.5/407 - Release Date: 8/3/2006

2/9/2009

pcastora@xpressamerica.net

From: "Paula Proulx" <pproulx@worldpath.net>
To: "Dottie" <pcastora@xpressamerica.net>
Sent: Sunday, August 06, 2006 9:05 PM
Subject: Re: Urgent request for meeting

Dottie,

I have received your request and will check with the town administrator tomorrow. You should be hearing from him soon. Thank you.

— Original Message —

From:
To:
Cc:
Sent: Friday, August 04, 2006 6:49 PM
Subject: Urgent request for meeting

Farmington Board of Selectmen
Paula Proulx, Chairman
Paul Parker, Vice Chairman
George Meyer

Dear Ms. Proulx, Mr. Parker and Mr. Meyer,

I am a resident of the State of Maine. As representatives of the Town of Farmington, I am requesting a meeting with you, as soon as possible, to discuss a personnel matter with you, specifically the job performance of the Farmington Police Department involving the elder abuse of a Maine man in Farmington, resulting in his death. I will present you with the facts and documentation when we meet.

I appreciate your consideration in this very serious matter. I will contact, via telephone, the members of the board who do not have an e-mail address, Gerald McCarthy and Martin Gilman. Should you have any questions, please contact me at 207-751-2007.

Dorothy Lafortune

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.1.394 / Virus Database: 268.10.5/407 - Release Date: 8/3/2006

pcastora@xpressamerica.net

From: "George Meyer" <glm@metrocast.net>
To: "Dottie" <pcastora@xpressamerica.net>
Sent: Friday, August 11, 2006 12:47 PM
Subject: RE: Urgent request for meeting

-----Original Message-----

From: Dottie [mailto:pcastora@xpressamerica.net]
Sent: Friday, August 04, 2006 6:50 PM
To: pproulx@worldpath.net
Cc: mapapa@metrocast.net; glm@metrocast.net
Subject: Urgent request for meeting

Farmington Board of Selectmen
Paula Proulx, Chairman
Paul Parker, Vice Chairman
George Meyer

Dear Ms. Proulx, Mr. Parker and Mr. Meyer,

I am a resident of the State of Maine. As representatives of the Town of Farmington, I am requesting a meeting with you, as soon as possible, to discuss a personnel matter with you, specifically the job performance of the Farmington Police Department involving the elder abuse of a Maine man in Farmington, resulting in his death. I will present you with the facts and documentation when we meet.

I appreciate your consideration in this very serious matter. I will contact, via telephone, the members of the board who do not have an e-mail address, Gerald McCarthy and Martin Gilman. Should you have any questions, please contact me at 207-751-2007.

Dorothy Lafortune

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.405 / Virus Database: 268.10.8/414 - Release Date: 8/9/2006

1/15/2008

pcastora@xpressamerica.net

From: "Dottie" <pcastora@xpressamerica.net>
To: <townfarm@worldpath.net>
Sent: Friday, August 04, 2006 7:25 PM
Subject: Fw: Urgent request for meeting

Paul Weston, Administrator
 356 Main Street
 Farmington, N.H. 03835
 (603)755-2208

Dear Mr. Weston,

I am forwarding an e-mail that I sent to members of the Farmington Board of Selectmen. I spoke very briefly with Martin Gilman who advised that I should contact you with my request which is to meet with the Board of Selectmen. If my request must be added to the Board of Selectmen's agenda, I'm asking that it be added to the next meeting. I look forward to your response. Should you have questions, please contact me at 207-751-2007.

Dorothy Lafortune

— Original Message —

From: Dottie
To: pproulx@worldpath.net
Cc: mapapa@metrocast.net ; glm@metrocast.net
Sent: Friday, August 04, 2006 6:49 PM
Subject: Urgent request for meeting

Farmington Board of Selectmen
 Paula Proulx, Chairman
 Paul Parker, Vice Chairman
 George Meyer

Dear Ms. Proulx, Mr. Parker and Mr. Meyer,

I am a resident of the State of Maine. As representatives of the Town of Farmington, I am requesting a meeting with you, as soon as possible, to discuss a personnel matter with you, specifically the job performance of the Farmington Police Department involving the elder abuse of a Maine man in Farmington, resulting in his death. I will present you with the facts and documentation when we meet.

I appreciate your consideration in this very serious matter. I will contact, via telephone, the members of the board who do not have an e-mail address, Gerald McCarthy and Martin Gilman. Should you have any questions, please contact me at 207-751-2007.

Dorothy Lafortune

2/9/2009

pcastora@xpressamerica.net

From: "Dottie" <pcastora@xpressamerica.net>
To: <townfarm@worldpath.net>
Sent: Friday, August 11, 2006 10:02 PM
Subject: ATTN: MEGAN

Megan,

Per our conversation today, would you please give a copy of this e-mail to selectmen Gerald McCarthy and Marín Gilman since they don't have e-mail addresses posted to the Farmington website. Thank you.

Dorothy

— Original Message —

From:
To:
Cc:
Sent: Friday, August 11, 2006 3:32 PM
Subject: Fw: ELDER ABUSE IN FARMINGTON, N.H. RESULTING IN DEATH

Dear Ms. Proulx,

I haven't had a response from my August 10, 2006 e-mail message to you. I read the selectmen's agenda for Monday, August 14, 2006 and I do not see my request on the agenda, whether public or in executive session. I would like to hear from you on this matter as soon as possible. Thank you.

Dorothy Lafortune

— Original Message —

From:
To:
Cc:
Sent: Thursday, August 10, 2006 8:39 AM
Subject: Fw: ELDER ABUSE IN FARMINGTON, N.H. RESULTING IN DEATH

Dear Ms. Proulx,

On August 6, 2006 I received an e-mail from you stating that I would be hearing from the town administrator soon regarding my request to meet with Farmington's selectmen. Within a few days of contacting you, the newspaper has reported that Town Administrator Paul Weston has issued a letter about his potential departure and selectman Meyer as resigned. Pursuant to the newspaper article, Mr. Meyer's letter of resignation states his disposing of real estate is when things "started to get messy" and he was unsure "if these circumstances had contributed to the sense of paralysis he feels on the Board of Selectman." This raises another question with me.

I look forward to hearing from someone if Mr. Weston's leaves his position and hope to be added to your Monday evening's agenda. Also attached is correspondence sent to Police Chief Scott Roberge on August 5, 2006. I have received no response from him. Would you please give a copy to those selectmen who do not have e-mail addresses. Thank you.

Dorothy Lafortune

1/15/2008

pcastora@xpressamerica.net

From: "Dottie" <pcastora@xpressamerica.net>
To: "David Mincin" <davemincin@hotmail.com>
Sent: Saturday, August 05, 2006 8:57 PM
Attach: N.H. CORP. FERGUSON 7-30-06.rtf
Subject: Fw: ELDER ABUSE IN FARMINGTON, N.H. RESULTING IN DEATH

— Original Message —

From: Dottie
To: ChiefRoberge@farmingtonpd.com
Sent: Saturday, August 05, 2006 4:49 PM
Subject: ELDER ABUSE IN FARMINGTON, N.H. RESULTING IN DEATH

Dear Chief Roberge,

On Wednesday, June 28, 2006 I contacted you about a pending case of elder abuse within the Town of Farmington at the home of Catherine Natale, 576 Ten Rod Road, Farmington, N.H. which Corporal Ferguson was investigating and resulted in death. Since you had no knowledge of this case, I briefly informed you of this serious situation. You informed me that Corporal Ferguson would be in contact with me the following day.

On Thursday, June 29, 2006 I received a telephone call from Corp. Ferguson and I wanted to know the status of his investigation. I was informed by Corp. Ferguson that the investigation was in a preliminary stage, yet he saw no evidence of crimes committed. I once again told Corp. Ferguson that I hoped that his investigation would not be compromised by Catherine Natale's claim of knowing all of the officers in your department.

Since the end of July, people have tried to contact Corp. Ferguson via telephone regarding the status of this case and the status of assault charges filed. Messages were left on his answering machine and messages were left with the secretary/dispatch and I finally received a phone call from Corp. Ferguson on August 4, 2006. I was informed by Corp. Ferguson that he was closing the file on this case. I asked Corp. Ferguson if he had read my correspondence faxed to him on July 30, 2006 regarding N.H.'s Criminal codes and the violations that were pertinent to his investigation. He stated there was nothing to it. Myself, and others, totally disagree! People from Maine who have either filed complaints, complaints of assaults, reports, or telephoned Corp. Ferguson of their concerns about the abuse, including those who have knowledge of what took place in Farmington, had a gut feeling that this investigation would be compromised. With the closing of this case by Corp. Ferguson, one can conclude that this case WAS compromised. What did Corp. Ferguson have to gain by closing this case? Why has Corp. Ferguson taken the word of those who are the perpetrators of this abuse, resulting in death?

I would like to bring to your attention New Hampshire's Adult Protection Statute, RSA 161-F:42-57 which mandates the reporting of elder abuse. Why did Corp. Ferguson fail to report elder abuse to the District Attorney? His response will probably be that "Philip Castora was sick." Corp. Ferguson is NOT a doctor. There is no evidence that Mr. Castora was "terminally ill" and required hospice care. Unfortunately, Corp. Ferguson does not know, or understand the law, and, therefore, should not close out a case for lack of intelligence or knowledge. As an officer in your department, why didn't Corp. Ferguson report elder abuse as mandated by law?

In my conversation with Corp. Ferguson on August 4, 2006, I asked if he had contacted the Bureau of

2/9/2009

Elder Services who was investigating my concerns of elder abuse. He said no. I learned from Melissa Sabina, Bureau of Elder Abuse, that she had left a message on Corp. Ferguson's answering machine regarding obtaining a police escort I had learned from telephone conversations with the elder abuse agency and your department, that neither agency corresponds with each other. What kind of protection is this? The life of a man has been taken by the failures of N.H. agencies/officials to communicate and take action. This is unacceptable! What has taken place in Farmington, N.H. contradicts the Farmington Police Department's Mission Statement: "To create a feeling of safety for the people within the Town of Farmington".

I am attaching my faxed message to Corp. Ferguson and request that you remove him from this investigation and that you reconsider the closing of this case. I will await your response.

Dorothy Lafortune

2/9/2009

pcastora@xpressamerica.net

From: "Dottie" <pcastora@xpressamerica.net>
To: <jrundles@co.trafford.nh.us>
Sent: Friday, December 01, 2006 2:48 PM
Subject: Meeting

December 1, 2006

Janice Rundles, County Attorney
259 County Farm Rd
PO Box 799
Dover, NH 03821

Dear Attorney Rundles,

Per my conversation with your Administrative Assistant, Brenda, regarding my request to personally meet with you to discuss an elder abuse case that occurred within New Hampshire and resulted in death, she advised that I put my request in writing and send documentation to you for your review. Due to the amount of documents, the individuals involved, and the sensitive nature of this case, I'm asking that you give me the opportunity to go over my documentation with you personally.

In sum, the person who died was used, abused, manipulated, financially exploited through the use of drugs and alienated from his friends and I. There are police reports on file, including formal complaints of assaults upon people who tried to see this man at a residence in Farmington, N.H.. One of the persons assaulted has a visible disability and it shocks the conscience that law enforcement and the Disabilities Rights Center in N.H. have looked the other way. One of the perpetrators involved in this case has filed a fraudulent Death Certificate and this has now involved authorities in another State. I am sure that you will have questions and it would be easier to answer your questions at our meeting to avoid further delays through correspondences.

I look forward to your reply as soon as possible. You may reply to this e-mail address.

Thank you.

Sincerely,

Dorothy Lafortune
P.O. Box 187
Biddeford, Maine 04005

12/23/2007

*** NO RESPONSE**

— Original Message —

From: pcastora@xpressamerica.net

To: pproulx@metrocast.net

Cc: jchagnon@sau61.com

Sent: Sunday, January 13, 2008 1:30 AM

Subject: Police Chief Scott Roberge

Dear Ms. Proulx,

In August of 2006 I contacted you and the members of the Farmington Board of Selectmen regarding the poor job performance of your Police Chief, Scott Roberge. I requested to meet with the Board to present evidence of the cover up of elder abuse that occurred in Farmington, resulting in death (drug related). The person who died was used, manipulated and financially exploited through the use of drugs. The Board denied my request to present evidence at your August 14, 2006 town meeting as this "was a criminal matter." You were noticed of crimes that were committed in Farmington including, but not limited to, a drug related death and assaults, one upon a fragile woman with a visible disability. Reports were filed with the Farmington Police Department. The Board's failure to act upon elder abuse resulting in death in order to shield Chief Roberge and the failure of the Department of Human Services, Bureau of Elder Services, to protect and uphold Elder Abuse Laws and the American with Disabilities Act constitutes Misprision of Felony. By your failure to hold Chief Roberge accountable for his unlawful actions, you are as guilty as the offending party.

I am aware, and have knowledge of, another incident in Farmington involving Chief Roberge and resident William Miller. I have knowledge that Mr. Miller asked for the resignation of Chief Roberge. A few days later, while on his private property, Mr. Miller was subjected to taunting by Farmington police who were several houses away and were attempting to induce a neighbor to file charges against Mr. Miller who, at no time, left his private property nor threatened anyone. At this time, the neighbor, one Matt Roy, stated that he did not want to file a complaint. The following day, Sunday, October 21, 2007 Mr. Miller was arrested on his property and charged with threatening the Chief. This was misdemeanor charges brought by another neighbor, not the Chief of Police, and those charges were dropped on December 18, 2007. However, Mr. Miller has been incarcerated, since October 21st, drugged against his will since the first day with psychotropics, and is still held to this day without a trial, conviction or sentence. In other words, an innocent man is being held and drugged because he had information on Chief Roberge.

It is quite obvious to the public that a pattern of corruption, lies and deceit exists within the Farmington Police Department. A pattern exists in shielding the perpetrators of crimes and retaliation against honest, decent people. Mr. Miller's request was warranted.

You ignored the drugging in the case that I attempted to present to you. Now we have another incident of the drugging of William Miller while held in the booking department of the Strafford County jail for 17 days, and has continued from October 21, 2007 to date with his unlawful incarceration, and this commands your attention. You can read about Mr. Miller's abuse on this nationally published article. "VETERAN VICTIM OF GOVERNMENT ABUSE"

<http://www.newswithviews.com/iserbyt/iserbyt38.htm>

Chief Roberge is NOT above the law. It is your duty and obligation to initiate an investigation into the corruption that exists with Chief Roberge and to hold him accountable for his actions and retaliation. You have failed once, let's pray that you do not fail a second time. Please inform me as to what actions you intend to take.

Please pass this on to members of the Board who do not have e-mail address: Gerald McCarthy, Chairman; Martin Gilman, Vice Chairman; Joan Funk.

Dorothy Lafortune

TITLE 18 > PART I > CHAPTER 1 > § 4 Misprision of felony

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

August 21, 2006

Fax No. (603)271-7680

Governor John Lynch
Office of the Governor
State House
25 Capitol Street
Concord, NH 03301

Attn: Marissa McQueeney

Dear Governor Lynch,

As per my conversation with Ms. McQueeney today, I am faxing my request to meet with you regarding elder abuse that occurred in Farmington, NH and resulted in death. The gentleman who died had intended to stay overnight at a niece's home in Farmington and one of the niece's friends was to ride to N.J. the next morning with this man. Instead, this man was used, manipulated and financially exploited through the use of drugs over a 2 and ½ month period.

He was taken to a lawyer where a Power of Attorney document was made up. For years, I've held the P.O.A. and Durable Medical Power of Attorney on this man. He was kept in an over-medicated state where people in the household had control over his personal cell phone. He was alienated from me and our friends and people who went to the residence were assaulted, (and one of the individuals assaulted has a visible disability). Our joint savings and checking accounts were depleted. This man's heart medication, that he had been taking for 30 years, was withheld from him. Hospice care was brought in. This man did not need hospice care. These individuals in N.H. do not know this man's medical history. He left Maine on his own two feet.

The Bureau of Elder Services was investigating this case and complaints were filed at the Farmington Police Department. After being assaulted at the residence and being given notice to stay off the property, elder services was arranging for a police escort in order to see this gentleman who wanted to see me.

On June 15, 2006 I received a call from the elder services caseworker stating that they had been to the niece's residence and everything was locked up tight and no one was around. I also learned from the caseworker that the gentleman was taken to N.J. the day before and died during the night. The Death Certificates states the cause of death as a heart attack. Any prudent person would not consider, suddenly and abruptly, driving a person in such a weakened condition on an 8 hour trip! It's apparent that the niece knew I would be coming to the residence and they fled.

There are witnesses to the facts in this case and evidence to support my claims. The Farmington Police Dept. have closed this case. I am attaching my correspondence to Corp. Ferguson asking that he look at N.H.'s Criminal Statutes. I knew this case would be compromised when I learned that the niece "knows" all of the officers in the department. My comments at the end of each statute will give you more insight into this case. This should have been presented to a grand jury and indict where evidence demands.

I'm requesting your intervention in this matter and grant my request to meet with you. I want the return of my vehicle and possessions, the return of my money, including the huge amount of cash that this man had with him, and weapons. This man was a licensed Private Investigator nearly 40 years and had a permit to carry a weapon. Drugs and weapons are a very bad recipe for tragedy and I do fear for my life. I do not want to spend years in court. This is a criminal matter.

I thank you for your consideration in this matter. I may be contacted at (207)751-2007.

Sincerely,



Dorothy Lafortune
P.O. Box 187
Biddeford, Maine 04005

TRANSMISSION VERIFICATION REPORT

TIME : 08/21/2006 15:45
NAME :
FAX : 0000000000
TEL : 0000000000

DATE, TIME	08/21 15:39
FAX NO./NAME	16032717590
DURATION	00:05:36
PAGE(S)	09
RESULT	OK
MODE	STANDARD

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-0307

KELLY A. AYOTTE
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II
DEPUTY ATTORNEY GENERAL

January 2, 2007

*WHERE ARE
THE REPORTS?*

Dorothy Lafortune
P.O. Box 187
Biddeford, ME 04005

Re: Dorothy Lafortune (Castora-Victim, Natale-Suspect)
06-51-A,
NH DOJ File: 200657800

Dear Ms. Lafortune:

I want to thank you for taking the time to call the Elder Abuse and Financial Exploitation Unit of the New Hampshire Attorney General's Office. Based upon our conversation, I conducted some preliminary research into this matter to include speaking with Medicaid Fraud Investigator James Brown.

I found that Investigator Brown, as well as members of the Bureau of Elderly Services and the Farmington Police Department, put a significant amount of time and resources into investigating your 2006 complaint. The reports contain essentially the same facts and allegations as those given to me by you last week during our conversation and they are the same facts that led to an unsubstantiated finding of abuse and/or neglect. As such, there is nothing further that I, or the Attorney General's Office, can do for you.

I understand and appreciate the fact that you disagree with our findings. However, I find no compelling evidence to warrant further investigation into this matter.

Very truly yours,

Handwritten signature of Tracy M. Culberson in black ink.

Tracy M. Culberson, Attorney
Elder Abuse and Financial Exploitation Unit
(603) 271-3643

COPY

January 5, 2007

Fax No. (603)223-6202
Attorney General
Department of Justice
33 Capitol Street
Concord, New Hampshire 03301-6397

**Attn: Tracy M. Culberson, Attorney
Elder Abuse and Financial Exploitation Unit**

*No compelling evidence?
There are federal
violations, as well!*

Dear Attorney Culberson,

This is in response to your correspondence dated January 2, 2007. Based upon your correspondence, you conducted a preliminary research into this elder abuse matter to include speaking with Investigator James Brown. For your own information, I am attaching my correspondence to Mr. Brown, dated September 7, 2006, who should be removed from his position for dereliction of duty, obstruction of justice, hindering prosecution and cover up in this matter. Mr. Brown did not conduct an investigation.

I called your office for a full and fair investigation into this very serious matter. Speaking with only the perpetrators who have aided and abetted/shielded this criminal matter and without speaking to individuals who have personal knowledge or personally witnessed the abuse including, but not limited to, the administering of "happy pills", the assaults (and one upon a person with a visible disability) does not constitute an investigation. You have found no compelling evidence to warrant further investigation into this matter due to the fact that you have failed in your duties. You have taken the opinion of those individuals who are involved in this cover up and are paid by the State.

The refusal of those in authority, including Governor John Lynch, to uphold the law and the violations of N.H.'s Adult Protection Act by the Department of Human Services, Bureau of Elder Services, by the Farmington Police Department, by the Strafford County District Attorney's Office and by the Attorney General's Office, which resulted in the death of my loved one, will be put on notice of my intent to file a lawsuit against them.

I sincerely hope that you reconsider your "preliminary" decision. Individuals in New Hampshire have been indicted and charged on far less serious charges. The safety and well-being of people in New Hampshire are at risk.

Sincerely,

Dorothy Lafortune

Dorothy Lafortune

P.O. Box 187

Biddeford, Maine 04005

✓ CC: Gov. John Lynch

Tracy Culherson

TRANSMISSION VERIFICATION REPORT

TIME : 01/05/2007 15:29
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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II
DEPUTY ATTORNEY GENERAL

July 13, 2009

*Thoroughly investigated??
Not one witness
inc. by witnesses, was
ever contacted!*

Dorothy Lafortune
P.O. Box 187
Biddeford, ME 04005

Dear Ms. Lafortune:

The Office of the New Hampshire Attorney General is in receipt of your February 9, 2009 letter that you initially sent to Assistant Strafford County Attorney Amy Feliciano (a copy of which you sent to this office) whereby you allege, among other things, official corruption within the Town of Farmington.

As you will recall, you previously raised the same concerns with the Department of Justice in 2006 and again in 2007. On both occasions your allegations were thoroughly investigated, reviewed, and ultimately unfounded. In January 2007, I advised you that I found no compelling evidence to warrant further investigation into this matter. A copy of that letter is included for your review.

Your recent letter to Attorney Feliciano raises no new issues or allegations that have not already been thoroughly investigated by this office, the Department of Health and Human Services, the Farmington Police Department or the Strafford County Attorney's Office. As such, this matter is closed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Tracy M. Culberson".

Tracy M. Culberson
Assistant Attorney General
Elder Abuse and Financial Exploitation Unit
(603) 271-3643

Dorothy Lafortune
July 13, 2009
Page 2

Enclosure

cc: Kelly A. Ayotte, Attorney General
Jane Young, Senior Assistant Attorney General

Complete Document

Can Be Viewed

In Bill Folder



IRAQ VETERAN VICTIM OF GOVERNMENT ABUSE

**By Charlotte Iserbyt
November 23, 2007
NewsWithViews.com**

A day rarely passes when Americans don't read about crimes being perpetrated not only by citizens, but by the very law enforcement officials whose duty it is to protect citizens. We all read about these shocking incidents, be they the tasing of old ladies, the arrest and hand-cuffing of female concert pianists who may be exceeding the speed limit by one mile an hour, or to use a word we all love to use: "whatever."

This morning an email brought me news of another atrocity to be added to the list of law enforcement abuse:

of office" if action is not IMMEDIATELY taken to reverse this tragic situation and see that those responsible for this cruel and unlawful treatment of Billy Miller are removed from their jobs and receive appropriate punishment.

Citizens from other states should get on board to expose this abuse of human rights and to help the mother of Billy Miller, Marie Louise Miller, in her courageous efforts to right this terrible wrong. Her telephone number is 603-834-4854. On this Thanksgiving Day, 2007, let us remember not only to thank God for the blessings he has bestowed upon our families and nation, but also to take action to protect the very God-given freedoms which are so clearly enumerated in the Constitution of the United States of America and the Bill of Rights, the very freedoms for which Billy Miller was willing to die when he served in the military during Gulf War I
© 2007 Charlotte T. Iserbyt - All Rights Reserved

Charlotte Iserbyt is the consummate whistleblower! Iserbyt served as Senior Policy Advisor in the Office of Educational Research and Improvement (OERI), U.S. Department of Education, during the first Reagan Administration, where she first blew the whistle on a major technology initiative which would control curriculum in America's classrooms. Iserbyt is a former school board director in Camden, Maine and was co-founder and research analyst of Guardians of Education for Maine (GEM) from 1978 to 2000. She has also served in the American Red Cross on Guam and Japan during the Korean War, and in the United States Foreign Service in Belgium and in the Republic of South Africa.

*Iserbyt is a speaker and writer, best known for her 1985 booklet *Back to Basics Reform or OBE: Skinnerian International Curriculum* and her 1989 pamphlet *Soviets in the Classroom: America's Latest Education Fad* which covered the details of the U.S.-Soviet and Carnegie-Soviet Education Agreements which remain in effect to this day. She is a freelance writer and has had articles published in *Human Events*, *The Washington Times*, *The Bangor Daily News*, and included in the record of Congressional hearings.*

Website: www.educationreform.com

E-Mail: chris@educationreform.com

The State of New Hampshire

07-~~CR-1218-13~~
Docket No.

ORDER ON DOCUMENT NO. _____

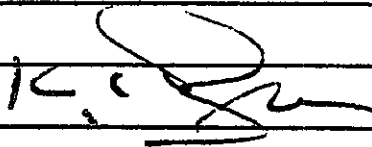
Sturke v. William Miller

After trial to the Bench the
Court finds the Defendant

Not Guilty.

The State failed to prove the requirement
Mental State Beyond a Reasonable
Doubt.

So Ordered



6/30/09

Date

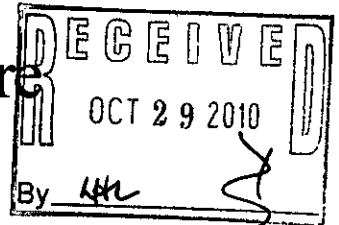
Signature
Presiding Justice



State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD



MEMORANDUM

DATE: November 1, 2010

TO: Honorable John H. Lynch, Governor
Honorable Terie Norelli, Speaker of the House
Honorable Sylvia B. Larsen, President of the Senate
Honorable Karen O. Wadsworth, House Clerk
Tammy L. Wright, Senate Clerk
Michael York, State Librarian

FROM: Representative Laura Pantelakos, Chairman

SUBJECT: Final Report on HB 1372, Chapter 278, Laws of 2010

Pursuant to HB 1372, Chapter 278, Laws of 2010, enclosed please find the Final Report of the Committee to Study Permitting a Person to Record a Law Enforcement Officer in the Course of Such Officer's Official Duties.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

LP/ta

Enclosures

cc: Members of the Committee

Committee to Study Permitting a Person to Record a Law Enforcement
Officer in the Course of Such Officer's Official Duties
(HB 1372, Chapter 278, Laws of 2010)

Final Report
October 28, 2010

Rep. Laura Pantelakos, Chair
Rep. Stephen Nedeau
Rep. Thomas Bucu
Rep. Ronald Boisvert
Rep. Eric Stohl

The committee was established to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, to determine if revisions are needed to update the statute and also to study any issues associated with permitting any person to make a video and audio recording of a law enforcement officer in the course of such officer's official duties.

The committee heard from a variety of interested parties, including the bill's sponsor, the Attorney General's Office, representatives from law enforcement, a defense attorney representing persons charged under the statute, as well as from members of the public.

The sponsor explained that he filed HB 1372 to study this subject in response to the issues raised by HB 312 in 2009 which would have allowed any person to make an audio or video recording of a law enforcement officer in the course of such officer's official duties. Under current law, audio recording of another person without that person's consent is a violation of the wiretapping statute; the sponsor had introduced HB 312 in response to certain incidents where persons who had recorded their encounters with law enforcement had been charged with a felony under the statute. The sponsor believes that the statute is not intended to apply to open audio or video recording, but only to the surreptitious use of such devices. He also believes that the "expectation of privacy" standard required by the statute does not apply to public places where a person is openly recording, that the statute requires only notice of such recording and not consent.

The committee also heard from a defense attorney who has represented individuals who have been charged under the wiretapping statute for recording law enforcement during the course of their duties. He stated that none of the individuals had been convicted, the charges having been dropped prior to trial, but that he believed that charging a person with a felony under RSA 570-A was an inappropriate use of the statute. He stated that, in his opinion, a video and audio recording of the encounter is the defendant's best evidence in court in refuting the officer's account of the incident and that the taping of a public official performing a public duty in a public place should not be subject to the wiretapping statute.

Representatives from law enforcement stated that each case is dependant on the facts of the particular situation. They argue that it is the officer's duty to control the scene of the encounter to protect both the officer and the individual; they also stated that in certain instances they may ask a person recording the incident to step away from the scene, but not cease their recording of the incident. In response to the particular incidents detailed by the sponsor and the defense attorney, law enforcement and the Attorney General's Office stated that it was possible that the statute was misapplied, but that only the details of one side (the defendants') of these incidents was being presented and that other considerations may have been present.

The committee is concerned about the misapplication or abuse of the wiretapping statute; however, the committee does not support a broad authorization to allow a person to record a law enforcement officer during the course of the officer's official duties. The committee believes that officer safety is the paramount concern in any encounter between law enforcement and the public and does not support any law which would hinder the officer's ability to control the scene or compromise public safety. While the committee is cognizant of the fact that a few individuals have been charged with felonies under the current statute, it notes that no person has been convicted or sentenced for such an offense and that these isolated incidents are not indicative of a larger deficiency with the law; the committee believes that the remedy for possible misapplication or misunderstanding of the statute is better training of law enforcement, not a wholesale change to the law.

The committee does believe that RSA 570-A should be updated to reflect changes in technology since the enactment of the statute. To that end, the committee tasked the Attorney General's Office with identifying areas of the statute which should be amended and to offer its recommendations; the attached draft reflects those recommendations which are detailed below:

• **RSA 570-A:1**

The current definitions of "telecommunication" and "communications common carrier" are deleted and replaced with new definitions of "wire communication" and "electronic communications." The former definitions employed outdated language and are inconsistent with current federal law – the new definitions reflect modern technology and are consistent with federal law.

Throughout the chapter, "telecommunication" is replaced with "wire, electronic or oral communication" and "communications common carrier" is replaced with "provider of wire or electronic communication services."

• **RSA 570-A:2, II**

Current subparagraphs (c) and (d) contain exceptions to the prohibition against non-consensual taping which apply to law enforcement officers. Subparagraph (c) allows an officer to wear an interception device when he or she is investigating or making an arrest,

for purposes of officer safety. Subparagraph (d), which is the so-called “one-party consent” portion of the statute, permits a consenting officer or civilian to intercept and record communications between him or herself and the target of the investigation. Under the current statute, these exceptions apply only when the investigation or arrest is for an enumerated offense listed in RSA 570-A:7. The amendments to (c) and (d) delete the reference to the enumerated offenses and permits the interception for any felony offense or certain misdemeanor offenses (criminal threatening, harms or threats to certain government officials, harassment and stalking); the Attorney General’s Office explained that this amendment is necessary to allow law enforcement to utilize the statute for investigation of additional crimes.

Under the current statute, a one-party consent interception is illegal unless it is authorized by the Attorney General’s Office or, in the case of drug investigations, by the county attorney. The Attorney General has issued guidelines for the county attorneys to follow when exercising that authority. The amendment to subparagraph (e) expands the county attorneys’ authority to authorize one-party consent interceptions to match that of the Attorney General’s Office and provides that the written authorizations shall be kept on file in the county attorneys’ office.

Finally, the amendment deletes current subparagraph (g) which is duplicative of current subparagraph (c).

• **RSA 570-A:7**

The list of enumerated offenses referenced in RSA 570-A:2, II (c) and (d) which are eligible for wiretap investigations is left unchanged.

• **RSA 7:6-b**

The references to “communications common carrier” are deleted and replaced with “provider of wire or electronic communication services.”

The committee appreciates the recommendations made by the Attorney General’s Office to RSA 570-A. The committee believes that the statute should be effectively updated to meet the needs of modern technology and to provide law enforcement with the necessary tools to perform investigations while also protecting public safety and individual rights.

Respectfully submitted,

Rep. Laura Pantelakos, Chair

Attorney General's Recommendation

570-A:1 Definitions. – As used in this chapter:

I. [~~""Telecommunication" means the transfer of any form of information in whole or in part through the facilities of a communications common carrier. ""Telecommunication" does not include any communication made through a tone-only paging system or from a tracking device.~~] **"Wire communication"** means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station).

II. **"Oral communication"** means any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation.

III. **"Intercept"** means the aural or other acquisition of, or the recording of, the contents of any [~~telecommunication~~] **wire, electronic** or oral communication through the use of any electronic, mechanical, or other device.

IV. **"Electronic, mechanical, or other device"** means any device or apparatus which can be used to intercept a [~~telecommunication~~] **wire, electronic** or oral communication other than:

(a) Any telephone or telegraph instrument, equipment, facility or any component thereof:

(1) Furnished to the subscriber or user by a [~~communication carrier~~] **provider of wire or electronic communication services** in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business or furnished by such subscriber or user for connection to the facilities of such service and used in the ordinary course of its business in accordance with applicable provisions of telephone and telegraph company rules and regulations, as approved by the public utilities commission;

(2) Being used by a communication common carrier in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his duties pursuant to this chapter;

(3) Being used by a [~~communication common carrier~~] **provider of wire or electronic communication services** in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his duties;

(b) A hearing aid or similar device being used to correct subnormal hearing to not better than normal.

V. **"Person"** means any employee or agent of the state or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation.

VI. **"Investigative or law enforcement officer"** means any officer of the state or political subdivision thereof who is empowered by law to conduct investigations of or to make arrests for offenses enumerated in this chapter, and any attorney authorized by law to prosecute or participate in the prosecution of such offenses.

VII. **"Contents"**, when used with respect to any [~~telecommunication~~] **wire, electronic** or oral communication, includes any information concerning the identity of the parties to such communication or the existence, substance, purport, or meaning of that communication.

VIII. "Judge of competent jurisdiction" means a judge of the superior court.

~~[IX. "Communications common carrier" means a person engaged in providing communications services to the general public through transmission of any form of information between subscribers by means of wire, cable, radio or electromagnetic transmission, optical or fiber optic transmission, or other means which transfers information without physical transfer of medium, whether by switched or dedicated facilities. A person engaged in radio or television broadcasting or any other general distribution of any form of communications shall not thereby be deemed a communications common carrier.]~~

X. "Aggrieved person" means a person who was a party to any intercepted ~~[telecommunication]~~ *wire, electronic* or oral communication or a person against whom the interception was directed.

XI. "Organized crime" means the unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to homicide, gambling, prostitution, narcotics, marijuana or other dangerous drugs, bribery, extortion, blackmail and other unlawful activities of members of such organizations.

XII. [Repealed.]

XIII. "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system, but does not include:

- (a) any wire or oral communication;*
- (b) any communication made through a tone-only paging device;*
- (c) any communication from a tracking device; or*
- (d) electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds.*

570-A:2 Interception and Disclosure of ~~[Telecommunication]~~ Wire, Electronic or Oral Communications Prohibited. –

I. A person is guilty of a class B felony if, except as otherwise specifically provided in this chapter or without the consent of all parties to the communication, the person:

(a) Wilfully intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any ~~[telecommunication]~~ *wire, electronic* or oral communication;

(b) Wilfully uses, endeavors to use, or procures any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication when:

(1) Such device is affixed to, or otherwise transmits a signal through, a wire, cable, or other like connection used in ~~[telecommunication]~~, *wire or electronic communication* or

(2) Such device transmits communications by radio, or interferes with the transmission of such communication, or

(3) Such use or endeavor to use (A) takes place on premises of any business or other commercial establishment, or (B) obtains or is for the purpose of

obtaining information relating to the operations of any business or other commercial establishment; or

(c) Wilfully discloses, or endeavors to disclose, to any other person the contents of any ~~[telecommunication]~~ **wire, electronic** or oral communication, knowing or having reason to know that the information was obtained through the interception of a ~~[telecommunication]~~ **wire, electronic** or oral communication in violation of this paragraph; or

(d) Willfully uses, or endeavors to use, the contents of any ~~[telecommunication]~~ **wire, electronic** or oral communication, knowing or having reason to know that the information was obtained through the interception of a ~~[telecommunication]~~ **wire, electronic** or oral communication in violation of this paragraph.

I-a. A person is guilty of a misdemeanor if, except as otherwise specifically provided in this chapter or without consent of all parties to the communication, the person knowingly intercepts a ~~[telecommunication]~~ **wire, electronic** or oral communication when the person is a party to the communication or with the prior consent of one of the parties to the communication, but without the approval required by RSA 570-A:2, II(d).

II. It shall not be unlawful under this chapter for:

(a) Any operator of a switchboard, or an officer, employee, or agent of any ~~[communication common carrier]~~ **provider of wire or electronic communication services** whose facilities are used in the transmission of a ~~[telecommunication]~~ **wire or electronic communication**, to intercept, disclose, or use that communication in the normal course of employment while engaged in any activity which is a necessary incident to the rendition of service or to the protection of the rights or property of the carrier of such communication; provided, however, that said ~~[communication common carriers]~~ **provider of wire or electronic communication services** shall not utilize service observing or random monitoring except for mechanical or service quality control checks.

(b) An officer, employee, or agent of any ~~[communication common carrier]~~ **provider of wire or electronic communication services** to provide information, facilities, or technical assistance to an investigative or law enforcement officer who, pursuant to this chapter, is authorized to intercept a ~~[telecommunication]~~ **wire, electronic** or oral communication.

(c) Any law enforcement officer, when conducting ~~[investigations of or making arrests for offenses enumerated in this chapter]~~ **an investigation or making an arrest for any felony offense**, to carry on ~~[the]~~ **his or her** person an electronic, mechanical or other device which intercepts oral communications and transmits such communications ~~[by radio]~~ **for the purpose of officer safety**.

(d) An investigative or law enforcement officer ~~[in the ordinary course of the officer's duties pertaining to the conducting of investigations of organized crime, offenses enumerated in this chapter, solid waste violations under RSA 149-M:9, I and II, or harassing or obscene telephone calls]~~ **in the course of an investigation of any felony offense, Criminal Threatening under RSA 631:4, Harms or Threats to Certain Government Officials under RSA 631:4-a, Harassment under RSA 644:4, Stalking under RSA 633:3-a, or an attempt or conspiracy to commit such an offense** to intercept a ~~[telecommunication]~~ **wire, electronic** or oral communication, when such person is a party to the communication or one of the parties to the communication has given prior consent to such interception; provided, however, that no such interception shall be made

unless the attorney general, the deputy attorney general, or an assistant attorney general designated by the attorney general determines that there exists a reasonable suspicion that evidence of criminal conduct will be derived from such interception. Oral authorization for the interception may be given and a written memorandum of said determination and its basis shall be made within 72 hours thereafter. The memorandum shall be kept on file in the office of the attorney general.

(e) ~~[Where the offense under investigation is defined in RSA 318-B,]~~ The attorney general to delegate authority under RSA 570-A:2, II(d) to a county attorney. The county attorney may exercise this authority only in the county where the county attorney serves. The attorney general shall ~~[, prior to the effective date of this subparagraph,]~~ adopt specific guidelines under which the county attorney may give authorization for such interceptions. Any county attorney may further delegate authority under this section to any assistant county attorney in the county attorney's office. ***The written memorandum of authorization issued pursuant to this delegated authority shall be kept on file in the office of the county attorney where the authorization was given.***

(f) An officer, employee, or agent of the Federal Communications Commission, in the normal course of employment and in discharge of the monitoring responsibilities exercised by the commission in the enforcement of chapter 5 of title 47 of the United States Code, to intercept a ~~[telecommunication,]~~ ***wire, electronic*** or oral communication ~~[transmitted by radio]~~, or to disclose or use the information thereby obtained.

~~[(g) Any law enforcement officer, when conducting investigations of or making arrests for offenses enumerated in this chapter, to carry on the person an electronic, mechanical or other device which intercepts oral communications and transmits such communications by radio.]~~

(h) Any municipal, county, or state fire or police department, the division of emergency services and communications as created by RSA 21-P:48-a, including the bureau of emergency communications as defined by RSA 106-H, or any independently owned emergency service, and their employees in the course of their employment, when receiving or responding to emergency calls, to intercept, record, disclose or use a ~~[telecommunication,]~~ ***wire or electronic communication*** while engaged in any activity which is a necessary incident to the rendition of service or the protection of life or property.

(i) Any public utility regulated by the public utilities commission, and its employees in the course of employment, when receiving central dispatch calls or calls for emergency service, or when responding to central dispatch calls or calls for emergency service, to intercept, record, disclose or use a ~~[telecommunication,]~~ ***wire or electronic communication*** while engaged in any activity which is a necessary incident to the rendition of service, or the protection of life and property. Any public utility recording calls pursuant to this subparagraph shall provide an automatic tone warning device which automatically produces a distinct signal that is repeated at regular intervals during the conversation. The public utilities commission may adopt rules relative to the recording of emergency calls under RSA 541-A.

(j) A uniformed law enforcement officer to make an audio recording in conjunction with a video recording of a routine stop performed in the ordinary course of patrol duties on any way as defined by RSA 259:125, provided that the officer shall first give notification of such recording to the party to the communication.

(k) (1) The owner or operator of a school bus, as defined in RSA 259:96, to make an audio recording in conjunction with a video recording of the interior of the school bus while students are being transported to and from school or school activities, provided that the school board authorizes audio recording, the school district provides notification of such recording to the parents and students as part of the district's pupil safety and violence prevention policy required under RSA 193-F:3, I(b), and there is a sign informing the occupants of such recording prominently displayed on the school bus.

(2) Prior to any audio recording, the school board shall hold a public hearing to determine whether audio recording should be authorized in school buses, and if authorized, the school board shall establish an administrative procedure to address the length of time which the recording is retained, ownership of the recording, limitations on who may listen to the recording, and provisions for erasing or destroying the recording. Such administrative procedure shall permit the parents or legal guardian of any student against whom a recording is being used as part of a disciplinary proceeding to listen to the recording. In no event, however, shall the recording be retained for longer than 10 school days unless the school district determines that the recording is relevant to a disciplinary proceeding, or a court orders that it be retained for a longer period of time. An audio recording shall only be reviewed if there has been a report of an incident or a complaint relative to conduct on the school bus, and only that portion of the audio recording which is relevant to the incident or complaint shall be reviewed.

(l) A law enforcement officer in the ordinary course of the officer's duties using any device capable of making an audio or video recording, or both, and which is attached to and used in conjunction with a TASER or other similar electroshock device. Any person who is the subject of such recording shall be informed of the existence of the audio or video recording, or both, and shall be provided with a copy of such recording at his or her request.

**570-A:3 Manufacture, Distribution, Possession, and Advertising of
[Telecommunication] Wire, Electronic or Oral Communication Intercepting Devices
Prohibited. —**

I. A person is guilty of a class B felony if, except as otherwise specifically provided in this chapter, he:

(a) Manufactures, assembles, possesses, or sells any electronic, mechanical, or other device, knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of [telecommunications] *wire, electronic* or oral communications; or

(b) Places in any newspaper, magazine, handbill, or other publication any advertisement of:

(1) Any electronic, mechanical, or other device knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of [telecommunications] *wire, electronic* or oral communications, or

(2) Any other electronic, mechanical, or other device, where such advertisement promotes the use of such device for the purpose of the surreptitious interception of [telecommunications] *wire, electronic* or oral communications.

II. It shall not be unlawful under this section for:

(a) A [~~communications common-carrier~~] *provider of wire or electronic communication services* or an officer, agent, or employee of, or a person under contract with, *such* a [~~communications common-carrier~~] *provider*, in the normal course of the [~~communications common-carrier's~~] *provider's* business, or

(b) An officer, agent, or employee of, or a person under contract with, the state, or a political subdivision thereof, in the normal course of the activities of the state, or a political subdivision thereof, to manufacture, assemble, possess, or sell any electronic, mechanical, or other device knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of [~~telecommunications~~] *wire, electronic* or oral communications.

570-A:4 Confiscation of [~~Telecommunication~~] *Wire, Electronic* or Oral

Communication Intercepting Devices. – Any electronic, mechanical, or other device used, sent, carried, manufactured, assembled, possessed, sold, or advertised in violation of RSA 570-A:2 or 570-A:3 may be seized and forfeited to the state according to the procedure set forth in RSA 617.

570-A:5 Immunity of Witnesses. – Whenever, in the judgment of the attorney general, the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or superior court involving any violation of this chapter or any of the offenses enumerated in RSA 570-A:7, or any conspiracy to violate this chapter or any of the offenses enumerated in RSA 570-A:7, is necessary to the public interest, the attorney general, or a county attorney upon the written approval of the attorney general, shall make application to the superior court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. No such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except in the proceeding described in the next sentence) against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section.

570-A:6 Prohibition of Use as Evidence of Intercepted [~~Telecommunications~~] *Wire, Electronic* or Oral Communications. – Whenever any [~~telecommunication~~] *wire, electronic* or oral communication has been intercepted, no part of the contents of such communication and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state, or a political subdivision thereof, if the disclosure of that information would be in violation of this chapter.

570-A:7 Authorization for Interception of [Telecommunications] Wire, Electronic or Oral Communications. – The attorney general, deputy attorney general, or a county attorney, upon the written approval of the attorney general or deputy attorney general, may apply to a judge of competent jurisdiction for an order authorizing or approving the interception of [telecommunications] *wire, electronic* or oral communications, and such judge may grant, in conformity with RSA 570-A:9, an order authorizing or approving the interception of [telecommunications] *wire, electronic* or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offenses as to which the application is made, when such interception may provide, or has provided, evidence of the commission of organized crime, as defined in RSA 570-A:1, XI, or evidence of the commission of the offenses of homicide, kidnapping, gambling, theft as defined in RSA 637, corrupt practices as defined in RSA 640, child pornography under RSA 649-A, computer pornography and child exploitation under RSA 649-B, criminal conduct in violation of the securities law, as defined in RSA 421-B:3, 421-B:4, 421-B:5, 421-B:19, and 421-B:24, criminal conduct in violation of the security takeover disclosure laws, as defined in RSA 421-A:3, 421-A:7, 421-A:8, 421-A:11, and 421-A:13, robbery as defined in RSA 636:1, arson as defined in RSA 634:1, hindering apprehension or prosecution as defined in RSA 642:3, tampering with witnesses and informants as defined in RSA 641:5, aggravated felonious sexual assault as defined in RSA 632-A:2, felonious sexual assault as defined in RSA 632-A:3, escape as defined in RSA 642:6, bail jumping as defined in RSA 642:8, insurance fraud as defined in RSA 638:20, dealing in narcotic drugs, marijuana, or other dangerous drugs, hazardous waste violations under RSA 147-A:4, I, or any conspiracy to commit any of the foregoing offenses.

570-A:8 Authorization for Disclosure and Use of Intercepted [Telecommunications] Wire, Electronic or Oral Communications. –

- I. Any law enforcement officer who, by any means authorized by this chapter, has obtained knowledge of the contents of any [telecommunication] *wire, electronic* or oral communication, or evidence derived therefrom, may disclose such contents to another law enforcement officer to the extent that such disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure.
- II. Any law enforcement officer who, by any means authorized by this chapter, has obtained knowledge of the contents of any [telecommunication] *wire, electronic* or oral communication or evidence derived therefrom may use such contents to the extent such use is appropriate to the proper performance of the officer's official duties.
- III. Any person who has received, by any means authorized by this chapter, any information concerning a [telecommunication] *wire, electronic* or oral communication or evidence derived therefrom intercepted in accordance with the provisions of this chapter may disclose the contents of that communication or such derivative evidence while giving testimony under oath or affirmation in any criminal proceeding in any court of the United States or of any state or in any federal or state grand jury proceeding.
- IV. No otherwise privileged [telecommunication] *wire, electronic* or oral communication intercepted in accordance with, or in violation of, the provisions of this chapter shall lose its privileged character.
- V. When a law enforcement officer, while engaged in intercepting [telecommunications] *wire, electronic* or oral communications in the manner authorized herein, intercepts

[telecommunications] *wire, electronic* or oral communications relating to offenses other than those specified in the order of authorization or approval, the contents thereof, and evidence derived therefrom, may be disclosed or used as provided in paragraphs I and II. Such contents and any evidence derived therefrom may be used under paragraph III, when authorized or approved by a judge of competent jurisdiction where such judge finds on subsequent application that the contents were otherwise intercepted in accordance with the provisions of this chapter. Such application shall be made as soon as practicable.

570-A:9 Procedure for Interception of [~~Telecommunication~~] *Wire, Electronic* or Oral Communications. –

I. Each application for an order authorizing or approving the interception of a [~~telecommunication~~] *wire, electronic* or oral communication shall be made in writing upon oath or affirmation to a judge of competent jurisdiction and shall state the applicant's authority to make such application. Each application shall include the following information:

(a) The identity of the law enforcement officer making the application, and the officer authorizing the application;

(b) A full and complete statement of the facts and circumstances relied upon by the applicant to justify the applicant's belief that an order should be issued, including: (1) Details as to the particular offense that has been, is being, or is about to be committed, (2) A particular description of the nature and location of the facilities from which or the place where the communication is to be intercepted, (3) A particular description of the type of communications sought to be intercepted, (4) The identity of the person, if known, committing the offense and whose communications are to be intercepted;

(c) A full and complete statement as to whether or not other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous;

(d) A statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been first obtained, the application shall include a particular description of facts establishing probable cause to believe that additional communications of the same type will occur thereafter;

(e) A full and complete statement of the facts concerning all previous applications known to the individual authorizing and making the application, made to any judge for authorization to intercept, or for approval of interceptions of, [~~telecommunications~~] *wire, electronic* or oral communications involving any of the same persons, facilities or places specified in the application, and the action taken by the judge on each such application; and

(f) Where the application is for the extension of an order, a statement setting forth the results thus far obtained from the interception, or a reasonable explanation of the failure to obtain such results.

II. The judge may require the applicant to furnish additional testimony or documentary evidence in support of the application.

III. Upon such application, the judge may enter an ex parte order, as requested or as modified, authorizing or approving interception of [~~telecommunication~~] *wire, electronic*

or oral communications, if the judge determines on the basis of the facts submitted by the applicant that:

- (a) There is probable cause for belief that an individual is committing, has committed, or is about to commit a particular offense enumerated in RSA 570-A:7;
 - (b) There is probable cause for belief that particular communications concerning that offense will be obtained through such interception;
 - (c) Normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous;
 - (d) There is probable cause for belief that the facilities from which, or the place where, the [telecommunications] *wire, electronic* or oral communications are to be intercepted are being used, or are about to be used, in connection with the commission of such offense, or are leased to, listed in the name of, or commonly used by such person.
- IV. Each order authorizing or approving the interception of any [telecommunication] *wire, electronic* or oral communication shall specify:

- (a) The identity of the person, if known, whose communications are to be intercepted;
- (b) The nature and location of the communications facilities as to which, or the place where, authority to intercept is granted;
- (c) A particular description of the type of communication sought to be intercepted, and a statement of the particular offense to which it relates;
- (d) The identity of the agency authorized to intercept the communications, and of the person authorizing the application; and
- (e) The period of time during which such interception is authorized, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained.

V. No order entered under this section may authorize or approve the interception of any [telecommunication] *wire, electronic* or oral communication for any period longer than is necessary to achieve the objective of the authorization, nor in any event longer than 10 days. Extensions of an order may be granted, but only upon application for an extension made in accordance with paragraph I, and the court making the findings required by paragraph III. The period of extension shall be no longer than the authorizing judge deems necessary to achieve the purposes for which it was granted and in no event for longer than 10 days. Every order and extension thereof shall contain a provision that the authorization to intercept shall be executed as soon as practicable, shall be conducted in such a way as to minimize the interception of communications not otherwise subject to interception under this chapter, and must terminate upon attainment of the authorized objective, or in any event in 10 days.

VI. Whenever an order authorizing interception is entered pursuant to this chapter, the order may require reports to be made to the judge who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. Such reports shall be made at such intervals as the judge may require.

VII. (a) The contents of any [telecommunication] *wire, electronic* or oral communication intercepted by any means authorized by this chapter shall, if possible, be recorded on tape or wire or other comparable device. The recording of the contents of any [telecommunication] *wire, electronic* or oral communication under this paragraph shall

be done in such way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order or extensions thereof, such recordings shall be made available to the judge issuing such order and sealed under the judge's directions. Custody of the recordings shall be wherever the judge orders. They shall not be destroyed except upon an order of the issuing or denying judge and in any event shall be kept for 10 years. Duplicate recordings may be made for use or disclosure pursuant to the provisions of RSA 570-A:8, I and II, for investigations. The presence of the seal provided for by this paragraph, or a satisfactory explanation for the absence thereof, shall be a prerequisite for the use or disclosure of the contents of any [telecommunication] *wire, electronic* or oral communication or evidence derived therefrom under RSA 570-A:8, III.

(b) Applications made and orders granted under this chapter shall be sealed by the judge. Custody of the applications and orders shall be wherever the judge directs. Such applications and orders shall be disclosed only upon a showing of good cause before a judge of competent jurisdiction and shall not be destroyed except on order of the issuing or denying judge, and in any event shall be kept for 10 years.

(c) Any violation of the provisions of this paragraph may be punished as contempt of the issuing or denying judge.

VIII. The contents of any intercepted [telecommunication] *wire, electronic* or oral communication or evidence derived therefrom shall not be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in a state court unless each party, not less than 10 days before the trial, hearing, or proceeding, has been furnished with a copy of the court order, and accompanying application, under which the interception was authorized or approved. This 10-day period may be waived by the judge if the judge finds that it was not possible to furnish the party with the above information 10 days before the trial, hearing, or proceeding and that the party will not be prejudiced by the delay in receiving such information.

IX. (a) Any aggrieved person in any trial, hearing, or proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the state, or a political subdivision thereof, may move to suppress the contents of any intercepted [telecommunication] *wire, electronic* or oral communication, or evidence derived therefrom, on the grounds that:

- (1) The communication was unlawfully intercepted;
- (2) The order of authorization or approval under which it was intercepted is insufficient on its face; or
- (3) The interception was not made in conformity with the order of authorization or approval.

Such motion shall be made before the trial, hearing, or proceeding unless there was no opportunity to make such motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted [telecommunication] *wire, electronic* or oral communication, or evidence derived therefrom, shall be treated as having been obtained in violation of this chapter. The judge, upon the filing of such motion by the aggrieved person, may, in the judge's discretion, make available to the aggrieved person or such person's counsel for inspection such portions of the intercepted communication or evidence derived therefrom as the judge determines to be in the interests of justice.

(b) In addition to any other right to appeal, the state shall have the right to appeal from an order granting a motion to suppress made under subparagraph IX(a), or the denial of an application for an order of approval, if the attorney shall certify to the judge or other official granting such motion or denying such application that the appeal is not taken for purposes of delay. Such appeal shall be taken within 30 days after the date the order was entered and shall be diligently prosecuted.

X. If an order authorizing interception is entered pursuant to this chapter, the order, upon request of the attorney general or deputy attorney general, shall direct that a communication common carrier shall furnish to the law enforcement agency designated by the attorney general all information, facilities or technical assistance necessary to accomplish the interception unobtrusively and with a minimum of interference with the services that such communication common carrier is according the person whose communications are to be intercepted. The communication common carrier shall furnish such facilities or technical assistance at its prevailing rate or tariff.

570-A:9-a Authorization for Installation and Use of Pen Register Devices. –
[Repealed 1988, 25:7, II, eff. July 1, 1988.]

570-A:9-b Use of Interpreters. – Notwithstanding any other provision of this chapter, an investigative or law enforcement officer supervising an interception under this chapter in which the intercepted communication is in a code or foreign language may utilize the assistance and participation of a qualified interpreter to translate the language being used into English. Such interpreter, before entering upon his or her duties, shall take an oath that he or she will make a true interpretation in an understandable manner to the best of his or her skill and judgment.

570-A:10 Reports Concerning Intercepted [~~Telecommunications~~] Wire, Electronic or Oral Communications. –

I. Within 30 days after the expiration of an order, or each extension thereof, entered under RSA 570-A:9, or the denial of an order approving an interception, the issuing or denying judge shall report to the administrative office of the United States Courts:

- (a) The fact that an order or extension was applied for;
- (b) The kind of order or extension applied for;
- (c) The fact that the order or extension was granted as applied for, was modified, or was denied;
- (d) The period of interceptions authorized by the order, and the number and duration of any extensions of the order;
- (e) The offense specified in the order or application, or extension of an order;
- (f) The identity of the applying investigative or law enforcement officer and agency making the application and the person authorizing the application; and
- (g) The nature of the facilities from which or the place where communications were to be intercepted.

II. In January of each year, each county attorney shall report to the attorney general who shall report, in turn, to the administrative office of the United States Courts:

- (a) The information required by subparagraphs I(a) through (g) with respect to each application for an order or extension made during the preceding calendar year;

(b) A general description of the interceptions made under such order or extension, including: (1) The approximate nature and frequency of incriminating communications intercepted, (2) The approximate nature and frequency of other communications intercepted, (3) The approximate number of persons whose communications were intercepted, and (4) The approximate nature, amount, and cost of the manpower and other resources used in the interceptions;

(c) The number of arrests resulting from interceptions made under such order or extension, and the offenses for which arrests were made;

(d) The number of trials resulting from such interceptions;

(e) The number of motions to suppress made with respect to such interceptions, and the number granted or denied;

(f) The number of convictions resulting from such interceptions and the offenses for which the convictions were obtained and a general assessment of the importance of the interceptions; and

(g) The information required by subparagraphs (b) through (f) of this paragraph with respect to orders or extensions obtained in a preceding calendar year.

III. On or before December 1 of each odd numbered year, the attorney general shall include in the report required by RSA 7:37, a report concerning the number of applications for orders authorizing or approving the interception of [telecommunications] *wire, electronic* or oral communications and the number of orders and extensions granted or denied during the preceding 2 years.

570-A:11 Recovery of Civil Damages Authorized. – Any person whose [telecommunication] *wire, electronic* or oral communication is intercepted, disclosed, or used in violation of this chapter shall have a civil cause of action against any person who intercepts, discloses, or uses, or procures any other person to intercept, disclose or use such communications, and be entitled to recover from any such person: (a) actual damages but not less than liquidated damages computed at the rate of \$100 a day for each day of violation or \$1,000, whichever is higher; (b) punitive damages; and (c) a reasonable attorney's fee and other litigation costs reasonably incurred. Good faith reliance on a court order or on a representation made by the attorney general, deputy attorney general or a county attorney shall constitute a complete defense to any civil or criminal action brought under this chapter.

7:6-b Certain Records of [~~Communications Common Carriers~~] Providers of Wire or Electronic Communication Services. –

I. Every [~~communications common carrier as defined in RSA 570-A:1, IX,~~] *provider of wire or electronic communication services* upon the written demand of the attorney general that the attorney general has reasonable grounds for belief that the service furnished to a person or to a location by such [~~communications common carrier~~] *provider* has been, is being, or may be used for an unlawful purpose, shall furnish to the attorney general:

(a) The names and addresses of persons to whom stated listed or unlisted telephone numbers are assigned.

(b) The names and addresses of persons to whom any stated or identified services are provided.

(c) Any local and long distance billing records for any subscriber to, or customer of telephone service or wireless telephone service as defined in RSA 638:21, XI.

(d) The length of service provided to a subscriber or customer by the ~~[communications common carrier]~~ **provider**.

(e) The types of services provided to the subscriber or customer by the ~~[communications common carrier]~~ **provider**, and

(f) The telephone number or other subscriber number or identity.

II. No such ~~[communications common carrier]~~ **provider of wire or electronic communication services** nor any agent, servant, or employee thereof, shall be civilly or criminally responsible or liable for furnishing or delivering any records or information in compliance with said demand and the attorney general shall not disclose any information obtained as a result of said demand except as it is essential to the proper discharge of the attorney general's duties. Any such written demand by the attorney general shall be understood to constitute an administrative subpoena for purposes of determining compliance with federal law.

III. The attorney general may delegate authority under this section to any assistant attorney general. Where the offense under investigation is defined in RSA 318-B or RSA 649-B, the attorney general may delegate authority under this section to a county attorney. A county attorney may further delegate authority under this section to any assistant county attorney in the county attorney's office. The county attorney may exercise this authority only in cases within the jurisdiction of that county attorney. The attorney general shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Circumstances under which an assistant attorney general, a county attorney, or an assistant county attorney may issue such demands to ~~[communications common carriers]~~ **providers of wire or electronic communication services** under this section.

(b) The procedures for applying for such demands.

(c) The records of such demands which shall be kept and maintained.

Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 1372

BILL TITLE: establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

DATE: February 9, 2010

LOB ROOM: 204

Amendments:

Sponsor: Rep. Stanley E. Stevens	OLS Document #:	2010	0294h
Sponsor: Rep. Rep. Laura C. Pantelakos	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

Motions: OTP, QTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Stanley E. Stevens

Seconded by Rep. Laura C. Pantelakos

Vote: 18-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 18-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Stanley E. Stevens, Clerk



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

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DATE:

LOB ROOM: 204

Amendments:

Sponsor: Rep.

Stevens

OLS Document #:

0294h.

Sponsor: Rep.

Pantelaker

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Stevens

Seconded by Rep.

Pantelaker

Vote:

18-0

(Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

(Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: *18-0*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Stanley E. Stevens, Clerk

Committee Report

CONSENT CALENDAR

February 17, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY to which was referred HB1372,

AN ACT establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Stanley E Stevens

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	CRIMINAL JUSTICE AND PUBLIC SAFETY
Bill Number:	HB1372
Title:	establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.
Date:	February 9, 2010
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill establishes a commission to study the provision of RSA 570-A, the wiretapping and eavesdropping statute to include permitting a person to record a law enforcement officer in the course of their duties. Since the committee had several similar bills, it was determined that they would be better addressed in HB 1372

Vote 18-0.

Rep. Stanley E Stevens
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB1372, establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stanley E Stevens for CRIMINAL JUSTICE AND PUBLIC SAFETY. This bill establishes a commission to study the provision of RSA 570-A, the wiretapping and eavesdropping statute to include permitting a person to record a law enforcement officer in the course of their duties. Since the committee had several similar bills, it was determined that they would be better addressed in HB 1372 **Vote 18-0.**

Original: House Clerk
Cc: Committee Bill File

HB 1372 establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

This bill establishes a commission to study the provision of RSA 570-A, the wiretapping and eavesdropping statute to include permitting a person to record a law enforcement officer in the course of their duties. Since the committee had several similar bills, it was determined that they would be better addressed in HB 1372.

**Rep. Stanley E. Stevens
For the Committee
18-0 OTP/A 2010-0294h CC**



COMMITTEE REPORT

COMMITTEE: Criminal Justice and Public Safety

BILL NUMBER: HB 1372

TITLE: establishing a commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer's official duties.

DATE: 2-9-10 CONSENT CALENDAR YES NO

- OUGHT TO PASS
- OUGHT TO PASS WITH AMENDMENT
- INEXPEDIENT TO LEGISLATE
- RE-REFER
- REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

**STATEMENT OF INTENT
(Include Committee Vote)**

HB 1372 establishes a Commission to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute to include permitting a person to record a law enforcement officer in the course of their duties. Since ~~was~~ the Committee had several similar bills it was determined that they

Vote. 18-0

Rep. Stanley Elbow
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

See attached



20

would be better addressed in ~~i~~ HB
1372.