

Bill as Introduced

HB 167 - AS INTRODUCED

2013 SESSION

13-0768

04/09

HOUSE BILL

167

AN ACT

relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

SPONSORS:

Rep. Cushing, Rock 21; Rep. Chandley, Hills 22

COMMITTEE:

Criminal Justice and Public Safety

ANALYSIS

The bill requires the department of corrections to provide certain information to the victim of the person seeking parole.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Thirteen

AN ACT relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

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

1 1 Adult Parole Board; Notice of Hearings. Amend RSA 651-A:11, II-a to read as follows:

2 II-a. At least 15 and not more than 30 days prior to any parole hearing, the adult parole
3 board *or the department of corrections* shall send a copy of the information described in
4 paragraph I by first class mail to the victim of the person seeking parole, or to the next of kin of such
5 victim if the victim has died, if request for such notice has been filed with the [board] *department of*
6 *corrections*. The victim or next of kin so requesting shall keep the [board] *department of*
7 *corrections* apprised of his *or her* current mailing address.

8 2 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 167

BILL TITLE: relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

DATE: January 15, 2013

LOB ROOM: 204 **Time Public Hearing Called to Order:** 12:00 pm

Time Adjourned: 12:02 pm
(please circle if present)

Committee Members: Reps. Pantelakos, Cushing, Ginsburg, Berube, Boisvert, Robertson, Grady, Burrige, Harriott-Gathright, Hirsch, O'Hearne, Charron, Fields, Villeneuve, Gagne, Vaillancourt, Warden, Parsons, Fesh and Tasker.

Bill Sponsors: Rep. Cushing, Rock 21; Rep. Chandley, Hills 22

TESTIMONY

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

Rep. Robert Cushing, sponsor

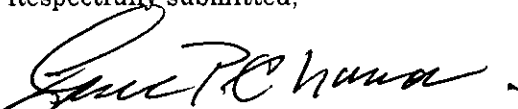
Introduced the bill and addressed the issuing of the bill.

***Jeff Lyon, New Hampshire Department of Corrections. - support**

Provided written testimony in support of the bill.

Christopher Dornin, Citizens for Criminal Justice Reform – supports

Respectfully submitted,


Rep. Gene P. Charron, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 167

BILL TITLE: relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

DATE: {Type HEARING DATE here} 1.15.13

LOB ROOM: 204 **Time Public Hearing Called to Order:** {Time} 12:00
Time Adjourned: {Time} 12:02.
(please circle if present)

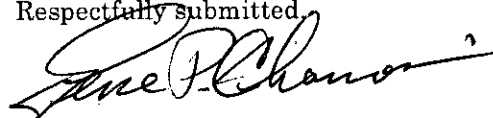
Committee Members: Reps. Pantelakos, Cushing, Ginsburg, Berube, Botsvert, Robertson, Grady, Barridge, Harriott, Gathright, Hirsch, O'Hearne, Charron, Fields, Villeneuve, Gagne, Vaillancourt, Warden, Parsons, Fesh and Tasker.

Bill Sponsors: Rep. Cushing, Rock 21; Rep. Chandley, Hills 22

TESTIMONY

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

Respectfully submitted,



Rep. Gene P. Charron, Clerk

HB 167

- ① 11:55 Rep. ROBERT CUSHING - I addressed the issuing the bill.
- 2 - 12:00 JEFF LYONS ^{STATE DOC} support provided written testimony.
- ③ 12:05 CHRIS DORNIN - (CRIMINAL JUSTICE REFORM)

CLOSED 12:07

Testimony

January 15, 2013

Testimony of Jeffrey Lyons, Public Information Officer for the Department of Corrections for the House Criminal Justice and Public Safety Committee on HB-167

Madam Chair and members of the Committee. Thank you for giving me the opportunity to testify on HB-167.

- We are not opposed to this legislation because the intent is to codify what the Department of Corrections Victim Services Bureau is already doing.
- During Fiscal Year 2012, Victim Services received new requests for notification from 383 households
- At the end of the year 2,138 households were served through 7,418 documented contacts by the two fulltime Victim Services employees and the 1 volunteer from the NH Americorps Victim Assistance Program.
- Notification of parole hearings is an important function but a majority of the contacts relate to offering support to victims and to informing them of the inmate's change in custody status. Last year those contacts increased 15% over FY 11.
- The Victim Services Bureau attends many parole hearings throughout the year to provide testimony on behalf of victims or to be there in support of a victim that is making a statement before the board.
- The bill is designed to provide notification to those that request and we support that intent. It would be difficult to provide notice to those that do not request it because we might not be able to find contact information for such victims.
- The Department of Corrections and the NH Adult Parole Board are crafting a memorandum of understanding to formalize the notification process.

Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 167

BILL TITLE: relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

DATE: January 23, 2013

LOB ROOM: 204

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. R. Cushing

Seconded by Rep. G. Charron

Vote: 17-0 (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: 17-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep. Gene P. Charron, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 167

BILL TITLE: relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

DATE: {Type DATE} 1-23-13

LOB ROOM: 204

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

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

Moved by Rep. CUSHING

Seconded by Rep. CHARRON

Vote: 17-0 (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: {Type VOTE}

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Gene P. Charron, Clerk

Consent
17-0



2013 SESSION

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill #: HB 167 Title: Victim Notification

PH Date: 1/1/1 Exec Session Date: 1/23/2013

Motion: OTP Amendment #: _____

MEMBER	YEAS	NAYS
Pantelakos, Laura C, Chairman	✓	
Cushing, Robert R, V Chairman	✓	
Berube, Roger R	✓	
Robertson, Timothy N	✓	
Burrige, Delmar D	✓	
Ginsburg, Philip E	✓	
Boisvert, Ronald R	✓	
Grady, Brenda E		
Harriott-Gathright, Linda		
Hirsch, Geoffrey D	✓	
O'Hearne, Andrew S	✓	
Charron, Gene P, Clerk	✓	
Fields, Dennis H	✓	
Fesh, Robert M	✓	
Villeneuve, Moe	✓	
Gagne, Larry G	✓	
Parsons, Robbie L	✓	
Tasker, Kyle J	✓	
Warden, Mark		
Vaillancourt, Steve	✓	
TOTAL VOTE:		

17 0

Committee Report

CONSENT CALENDAR

January 24, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY to which was referred HB 167,

AN ACT relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Robert R Cushing

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	CRIMINAL JUSTICE AND PUBLIC SAFETY
Bill Number:	HB167
Title:	relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.
Date:	January 24, 2013
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill provides that a crime victim be notified by either the Adult Parole Board or the Department of Corrections when the person who committed the crime against them has a parole hearing. Victims have a right under the Crime Victim's Bill of Rights to notice of any action or change of status of the prisoner. The bill previously passed in the House and Senate but died in a Committee of Conference because of disagreement over a different part of the bill. The Department of Corrections supports this bill.

Vote 17-0.

Rep. Robert R Cushing
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB167, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. **OUGHT TO PASS.**

Rep. Robert R Cushing for **CRIMINAL JUSTICE AND PUBLIC SAFETY**. This bill provides that a crime victim be notified by either the Adult Parole Board or the Department of Corrections when the person who committed the crime against them has a parole hearing. Victims have a right under the Crime Victim's Bill of Rights to notice of any action or change of status of the prisoner. The bill previously passed in the House and Senate but died in a Committee of Conference because of disagreement over a different part of the bill. The Department of Corrections supports this bill.
Vote 17-0.

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB167, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. **OUGHT TO PASS.**

Rep. Robert R Cushing for **CRIMINAL JUSTICE AND PUBLIC SAFETY**. This bill provides that a crime victim be notified by either the Adult Parole Board or the Department of Corrections when the person who committed the crime against them has a parole hearing. Victims have a right under the Crime Victim's Bill of Rights to notice of any action or change of status of the prisoner. The bill previously passed in the House and Senate but died in a Committee of Conference because of disagreement over a different part of the bill. The Department of Corrections supports this bill.
Vote 17-0.

Rep. Anna Pantalos

Original: House Clerk
Cc: Committee Bill File

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COMMITTEE REPORT

COMMITTEE: CS + PS

BILL NUMBER: HB 167

TITLE: Relative to notice and information provided to ~~the~~ victim of a person seeking parole or the victim next of kin

DATE: _____ CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- RE-REFER
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill provides that a crime victim be notified by either the Adult Parole Board or the Department of Corrections when the person who committed the crime against them has a parole hearing. Victims have a right under the CRIME VICTIMS Bill of Rights to notice of any action or change of status of ^{the} prisoner. This bill previously passed ~~through~~ in the house and senate but died in a committee of conference because of disagreement over a different part of the bill. This was supported by the Department of Corrections

COMMITTEE VOTE: 17-0

Rep. Susan Pustelakas
RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Robert Cushing
For the Committee
Robert Cushing