

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

Committee Minutes

SENATE CALENDAR NOTICE
JUDICIARY

Senator Sharon Carson Chairman
Senator Bette Lasky V Chairman
Senator David Boutin
Senator Sam Cataldo
Senator Donna Soucy

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: March 26, 2013

HEARINGS

Tuesday

4/9/2013

JUDICIARY

SH 100

9:00 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

9:00 AM	HB648-FN	permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment.
9:20 AM	HB426	relative to payment of costs and fees in guardianship cases.
9:40 AM	HB167	relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.
10:00 AM	HB165	establishing a committee to study the use of the sex offender registry.
10:20 AM	HB442	prohibiting residency restrictions for registered sex offenders and offenders against children.

Sponsors:

HB648-FN

Rep. Gary Richardson

Rep. Mary Jane Wallner

Rep. Mary Beth Walz

HB426

Rep. Lucy Weber

Rep. Janet Wall

HB167

Rep. Robert Cushing

Rep. Shannon Chandley

HB165

Rep. Timothy Robertson

HB442

Rep. Timothy Robertson

SENATE JUDICIARY COMMITTEE

Susan Duncan, Senior Legislative Aide

HB 167 – relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

Hearing Date: April 9, 2013

Time Opened: 9:54 a.m.

Time Closed: 9:58 a.m.

Members of the Committee Present: Senators Lasky and Cataldo

Members of the Committee Absent: Senators Carson, Boutin and Soucy

Bill Analysis: The bill requires the Department of Corrections to provide certain information to the victim of the person seeking parole

Sponsors: Representatives Cushing and Chandley

Who supports the bill: Representatives Robert “Renny” Cushing;
Representative Shannon Chandley;

Who opposes the bill: No one

Summary of testimony presented in support:

Representative Cushing

Explained that this is a policy that was passed by both the Senate and House 3 years ago but died in a Committee of Conference.

He noted that victims of crime have the right to be notified of the release or potential parole of the perpetrator – and that this is the current practice.

He explained that now there is a central record with the Department of Corrections and the Parole Board sends out notices. A Memorandum of Agreement would be set up and that there is an efficiency to have a central file – and explained that this is a requirement of the Victim’s Rights Act. The victims are assisted in preparing their testimony and making their presentations before the Parole Board.

Summary of testimony presented in opposition: None

Fiscal Note: Not applicable

Future Action: The Committee took the bill under advisement.

sfd

Date hearing report completed: April 9, 2013

[file: HB 167 report]

Speakers

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: April 16, 2013

THE COMMITTEE ON Judiciary

to which was referred 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.

Having considered the same, the committee recommends that the Bill:

IS INEXPEDIENT TO LEGISLATE

BY A VOTE OF: 5 - 0

Senator David R. Boutin
For the Committee

Susan Duncan 271-3076

New Hampshire General Court - Bill Status System

Docket of HB167

Docket Abbreviations

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

Official Docket of **HB167**:

Date	Body	Description
1/3/2013	H	Introduced 1/3/2013 and Referred to Criminal Justice and Public Safety; HJ 12 , PG.184
1/9/2013	H	Public Hearing: 1/15/2013 11:00 AM LOB 204
1/16/2013	H	Executive Session: 1/23/2013 10:00 AM LOB 204
1/24/2013	H	Committee Report: Ought to Pass for Jan 30 (Vote 17-0; CC); HC 10 , PG.128
1/30/2013	H	Ought to Pass: MA VV; HJ 14 , PG.237
2/14/2013	S	Introduced and Referred to Judiciary
3/26/2013	S	Hearing: 4/9/13, Room 100, SH, 9:40 a.m.; SC14
4/23/2013	S	Committee Report: Inexpedient to Legislate, 5/2/13; SC18
5/2/2013	S	Inexpedient to Legislate, MA, VV === BILL KILLED ===;

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE

HEARING REPORT

PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # _____ - AMENDMENT # _____
 - AMENDMENT # _____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED _____ AS AMENDED BY THE HOUSE
 FINAL VERSION _____ AS AMENDED BY THE SENATE

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

DATE DELIVERED TO SENATE CLERK

6/7/2013

By:



COMMITTEE AIDE

HB 167, 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.