

# Committee Report

**REGULAR CALENDAR**

**March 3, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on Criminal Justice and Public Safety to which was referred HB 138-FN,**

**AN ACT allowing prisoners serving life sentences to be eligible for parole after 25 years. Having considered the same, report the same with the following resolution:**

**RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Jennifer Rhodes**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

Committee:	<b>Criminal Justice and Public Safety</b>
Bill Number:	<b>HB 138-FN</b>
Title:	<b>allowing prisoners serving life sentences to be eligible for parole after 25 years.</b>
Date:	<b>March 3, 2021</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

**STATEMENT OF INTENT**

Although this bill is well intended, with the exception of someone who is convicted of murder while serving a sentence in a correctional facility, this bill makes all criminals eligible for parole after serving 25 years which includes first degree murder. Therefore, if an inmate is currently serving a life sentence for gruesomely murdering a child, after 25 years that child murderer would be eligible for parole. The universal application of this bill would result in unintended consequences when New Hampshire already has existing procedure is available under the law to commute sentences or granting pardons.

Vote 12-8.

Rep. Jennifer Rhodes  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Criminal Justice and Public Safety

**HB 138-FN**, allowing prisoners serving life sentences to be eligible for parole after 25 years.

**MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jennifer Rhodes for the **Majority** of Criminal Justice and Public Safety. Although this bill is well intended, with the exception of someone who is convicted of murder while serving a sentence in a correctional facility, this bill makes all criminals eligible for parole after serving 25 years which includes first degree murder. Therefore, if an inmate is currently serving a life sentence for gruesomely murdering a child, after 25 years that child murderer would be eligible for parole. The universal application of this bill would result in unintended consequences when New Hampshire already has existing procedure is available under the law to commute sentences or granting pardons. **Vote 12-8.**

Original: House Clerk

Cc: Committee Bill File

**REGULAR CALENDAR**

**March 3, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on Criminal Justice and Public Safety to which was referred HB 138-FN,**

**AN ACT allowing prisoners serving life sentences to be eligible for parole after 25 years. Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill OUGHT TO PASS.**

**Rep. David Meuse**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

Committee:	<b>Criminal Justice and Public Safety</b>
Bill Number:	<b>HB 138-FN</b>
Title:	<b>allowing prisoners serving life sentences to be eligible for parole after 25 years.</b>
Date:	<b>March 3, 2021</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>OUGHT TO PASS</b>

**STATEMENT OF INTENT**

This bill would make inmates sentenced to life in prison without parole eligible for a parole hearing after 18 years of their sentence for a second degree murder conviction or after 25 years for first degree murder. What the bill does not do is allow inmates to re-litigate their conviction or to be paroled without meeting 100% of the requirements and conditions of the parole board. It would simply provide an opportunity for a hearing and nothing more. Parole requirements for any inmate in this situation will remain unchanged and will continue to be set a very high bar. Prisoners who murder again while serving their sentence and inmates sentenced to the death penalty for capital murder before the bill's effective date are excluded. The minority believes that incarceration for life with the subsequent loss of freedom is the most sobering and fearsome power the state can impose. The possibility of hearing after serving 18-25 years of a life sentence provides inmates with an incentive to change who otherwise would have no incentive to rehabilitate. It would also create a safer environment for our corrections officers. We urge you to overturn the majority's inexpedient to legislate recommendation.

Rep. David Meuse  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Criminal Justice and Public Safety

**HB 138-FN**, allowing prisoners serving life sentences to be eligible for parole after 25 years.  
**OUGHT TO PASS.**

Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. This bill would make inmates sentenced to life in prison without parole eligible for a parole hearing after 18 years of their sentence for a second degree murder conviction or after 25 years for first degree murder. What the bill does not do is allow inmates to re-litigate their conviction or to be paroled without meeting 100% of the requirements and conditions of the parole board. It would simply provide an opportunity for a hearing and nothing more. Parole requirements for any inmate in this situation will remain unchanged and will continue to be set a very high bar. Prisoners who murder again while serving their sentence and inmates sentenced to the death penalty for capital murder before the bill's effective date are excluded. The minority believes that incarceration for life with the subsequent loss of freedom is the most sobering and fearsome power the state can impose. The possibility of hearing after serving 18-25 years of a life sentence provides inmates with an incentive to change who otherwise would have no incentive to rehabilitate. It would also create a safer environment for our corrections officers. We urge you to overturn the majority's ITL recommendation.

Original: House Clerk

Cc: Committee Bill File

# Voting Sheets



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on Bill # 138

BILL TITLE: Allowing prisoners serving life sentences to be eligible for parole after 25 years.

DATE: 3/3/2021

LOB ROOM: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. Rhodes      Seconded by Rep. Wallace      Vote: 12/8

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

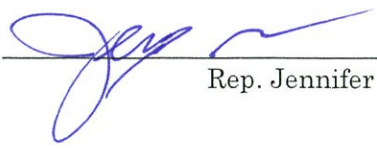
MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

CONSENT CALENDAR:    \_\_\_ YES      /   NO

Minority Report?    \_\_\_ Yes    \_\_\_ No    If yes, author, Rep: \_\_\_\_\_ Motion \_\_\_\_\_

Respectfully submitted:   
Rep. Jennifer Rhodes, Clerk





2021 SESSION

Criminal Justice and Public Safety

Bill #: 138 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 3/3/2021  
*12/8*

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	12		
Welch, David A. Vice Chairman	1		
Burt, John A.	2		
Hopper, Gary S.	3		
Green, Dennis E.	4		
Wallace, Scott	5		
Testerman, Dave	6		
True, Chris	7		
Pratt, Kevin M.	8		
Marston, Dick <i>Doucet</i>	9		
Rhodes, Jennifer M. Clerk	10		
Harriott-Gathright, Linda C.		1	
Pantelakos, Laura C.		2	
O'Hearne, Andrew S.	11	3	
Bordenet, John		3	
Meuse, David		4	
Newman, Ray E.		5	
Bouldin, Amanda C.		6	
Conley, Casey M.			
Klein-Knight, Nicole		7	
Bradley, Amy		8	



1/22/2021 9:56:15 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Criminal Justice and Public Safety

Bill #: \_\_\_\_\_ Motion: \_\_\_\_\_ AM #: \_\_\_\_\_ Exec Session Date: \_\_\_\_\_

TOTAL VOTE: \_\_\_\_\_



2021 SESSION

Criminal Justice and Public Safety

Bill #: 138 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 3/3/2021  
*12/8*

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	12		
Welch, David A. Vice Chairman	1		
Burt, John A.	2		
Hopper, Gary S.	3		
Green, Dennis E.	4		
Wallace, Scott	5		
Testerman, Dave	6		
True, Chris	7		
Pratt, Kevin M.	8		
Marston, Dick <i>Doucet</i>	9		
Rhodes, Jennifer M. Clerk	10		
Harriott-Gathright, Linda C.		1	
Pantelakos, Laura C.		2	
O'Hearne, Andrew S.	11	3	
Bordenet, John		3	
Meuse, David		4	
Newman, Ray E.		5	
Bouldin, Amanda C.		6	
Conley, Casey M.			
Klein-Knight, Nicole		7	
Bradley, Amy		8	

# Public Hearing



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 138-FN, HB 598

**BILL TITLE:** allowing prisoners serving life sentences to be eligible for parole after 25 years.

**DATE:** March 3, 2021

**LOB ROOM:** hybrid                      **Time Public Hearing Called to Order:** 9:50 a.m.

**Time Adjourned:** 11:50 a.m.

**Committee Members:** Reps. Abbas, Welch, Rhodes, Burt, Hopper, Green, Wallace, Testerman, True, Pratt, Marston, Harriott-Gathright, Pantelakos, O'Hearne, Bordenet, Meuse, R. Newman, Amanda Bouldin, Conley, Klein-Knight and Bradley

**Bill Sponsors:**

Rep. Abramson

Rep. Conley

**TESTIMONY**

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

Rep. Harriott-Gathright, Sponsor. Introduced bill. This helps to bring parole more in line with todays society and culture.

Rep. Max Abramson - Support. Life time sentences are incredibly expensive and some are wrongly incarcerated.

Rep. Hopper - Are parole hearings meant to re hear the case?

No, not entirely

Rep. Meuse - How many are currently in prison that may be eligible for this?

A.. About 200

Donna Sytek - opposed - The time that is sentenced is the time served before they are eligible for parole. Bills are written too broad.

Rep. Rhodes - What/how would this affect the families and victims of the crime?

A. Tremendously. re live experience all over again each time it is brought up to this extent.

Rep. True - How many people are paroled that meet the parole board?

A. about 2/3

Rep. Conley - Are most of the people eligible for parole "re habed"?

A. Most life sentences prisoners are not violent nor are they sexual predators. Their victims are not in prison.

Rep. Bradley - Do you have data on truth in sentencing in NH

A. Prison population grew.

Rep. Bordonet - If a person is denied parole how long until they are " Re eligible"?

A. They are given criteria when they meet it they schedule to have another hearing.

Jay Mackey - opposed - State prison would make it incredibly difficult to apply programs and re-hab that is required.

Rep, Burt - Is medical parole as much of a concern that those in support use as a reason?

A. Very small population. Those that need it are granted a parole hearing (medical)

Donna Brown - supports (598) NH Assoc of criminal attorneys - most prisoners are able to re-hab themselves to be a better person.

Joseph Lascaze - support - NCLU (598) Bill will allow the person to have a hearing. The effect of policy is important.

Rep. Burt - Is it just "known" or is it a written requirement that parole conditions must be met.

A. The D.O.C. puts forth a plan and that must be set.

E. Picetta - supports (598) The current system is like "socialism" it should not be a one size fits all.

Nicole Parisi (598) supports - NH Dept. of Corrections. Not all criminals are bad. Some are innocent.

Rep. Mafia Perey - supports Both - People deserve a 2nd chance.

Joseph Ebert (138) - opposed . Captain NH State Police. It is important to think of the families of the victim. That is why they are in prison.

John Kittredge - supports (598) Prison programs being "cut" is a scary thought. The programs give much needed support.

Jennifer Sargent - opposed (598) Chairman Adult prison parole. Parole conditions should not be negotiable after the fact. Medical parole is granted and well structured.

Rep. Conley - If parole conditions must be met, are those conditions able to be activated sooner so inmates are able to meet them?

A That is up to the parole board to decide.

Rep. Rhodes - Does an inmate that is re located to an out of state prison follow NH or that states laws for parole?

A.. The requirements set by NH

Respectfully Submitted,

Rep. Jennifer Rhodes, Clerk



# House Remote Testify

## Criminal Justice and Public Safety Committee Testify List for Bill HB138 on 2021- Support: 30 Oppose: 5 Neutral: 0 Total to Testify: 2

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	
Abramson, Max	Seabrook, NH Max.Abramson@leg.state.nh.us	An Elected Official	Myself	Support	Yes (5m)	No	:
Bonczek, Amy	Derry, NH Amy.rocks@live.com	A Member of the Public	Myself	Support	Yes (3m)	No	:
Hruska, Jeanne	Concord, NH Jeanne@aclu-nh.org	A Lobbyist	ACLU-NH	Support	No	No	:
Keilig, Pamela	Concord, NH pkeilig@nhcadsv.org	A Lobbyist	New Hampshire Coalition Against Domestic and Sexual Violence	Oppose	No	No	:
Jones, Zahira	Lindenwold, NJ Jzahira84@gmail.com	A Member of the Public	Myself	Support	No	No	:
Platt, Elizabeth-Anne	CONCORD, NH lizanneplatt09@gmail.com	A Member of the Public	Myself	Support	No	No	:
Leach, Kyle	Farmington, NH outleft@metrocast.net	A Member of the Public	Myself	Support	No	No	:
Hayden, Sam	Hopkinton, NH hayden.sam@gmail.com	A Member of the Public	Myself	Support	No	No	:
perez, maria	Milford, NH mariaeli63@gmail.com	An Elected Official	Myself	Support	No	No	:
Howard Jr., Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Myself	Oppose	No	No	:
Bennett, Elizabeth	Spartanburg, SC adultsurvivorofpeerabuse@gmail.com	A Member of the Public	Myself	Support	No	No	:
Sutton, Patricia	Flushing, NY Pattigem@aol.com	A Member of the Public	Myself	Support	No	No	:
Countryman, Tim	COVINGTON, WA 12TIMJC@GMAIL.COM	A Member of the Public	Myself	Support	No	No	:
Santalís, Wanda	Mechanicville, NY Janediamond716@icloud.com	A Member of the Public	Myself	Support	No	No	:
Parker, Gretchen	Manchester, NH gretchenparker930@gmail.com	A Member of the Public	Myself	Support	No	No	:
Taber, Stephanie	Argos, IN Staber8@gmail.com	A Member of the Public	Myself	Support	No	No	:
Plouffe, Shelly	Seabrook, NH Shellyplouffe@comcast.net	A Member of the Public	Myself	Support	No	No	:
Bates, David	Warner, NH dbates3@yahoo.com	A Member of the Public	Myself	Support	No	No	:
Guile, Ronald	Alton, NH ronfg2@yahoo.com	A Member of the Public	Pamela Smart	Support	No	No	:
Smith, Jennifer	Pembroke, NH jaycmd7699@gmail.com	A Member of the Public	Myself	Support	No	No	:
Fenner-Lukaitis, Elizabeth	Warner, NH glukaitis@mcttelecom.com	A Member of the Public	Myself	Support	No	No	:
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Support	No	No	:

Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	:
Larson, Ruth	Alton, NH ruthlarson@msn.com	A Member of the Public	Myself	Support	No	No	:
Smith, Sara	Pembroke, NH sara.rose.ssmith@gmail.com	A Member of the Public	Myself	Support	No	No	:
Pedersen, Michael	Nashua, NH PedersenUSA@aim.com	An Elected Official	Hillsborough 32	Support	No	No	:
Bartlett, Susan	61 Bartlett Loop Warner, NH suebartlett@tds.net	A Member of the Public	Myself	Support	No	No	:
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	:
Campbell, Kay	Epsom, NH kkcampbell43@yahoo.com	A Member of the Public	Myself	Support	No	No	:
Russo, Steven	Steven Russo, Keene, NH, NH srusso@ci.keene.nh.us	A Member of the Public	Myself	Oppose	No	No	:
Reams, Mark	Amherst, NH mreams@amherstnh.gov	A Member of the Public	Myself	Oppose	No	No	:
Sargent, Elizabeth	Concord, NH esargent@sheehan.com	A Lobbyist	NH Association of Chiefs of Police	Oppose	No	No	:
Kallinich, Kayla	Boston, MA kaylakall47@gmail.com	A Member of the Public	Myself	Support	No	No	:
Courser, Rebecca	Warner, NH rcourser@hotmail.com	A Member of the Public	Myself	Support	No	No	:
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	:

# Testimony

**Archived:** Monday, February 15, 2021 10:19:59 AM

**From:** [sarah matta](#)

**Sent:** Thursday, January 28, 2021 8:21:58 PM

**To:** ~House Criminal Justice and Public Safety

**Subject:** HB138

**Importance:** Normal

---

Dear Members of the Committee,

The archaic reasoning behind our Life Without Parole Legislature puts a strain on the economic budget in NH and its taxpayers. The relic of the past "lock them up and throw away the key" mentality is not only ineffective, but goes against the true definition of rehabilitation and transformation.

Sincerely,

In support of passing HB138

Sarah J. Matta  
(603)264-1048  
[sjmatta@gmail.com](mailto:sjmatta@gmail.com)

**Archived:** Monday, February 15, 2021 10:19:59 AM

**From:** [Chris Simon](#)

**Sent:** Saturday, January 23, 2021 6:49:32 PM

**To:** [~House Criminal Justice and Public Safety](#)

**Subject:** House Bill 138

**Importance:** Normal

---

Dear Members,

Please consider passing this bill which would allow prisoners serving life sentences to be eligible for parole after 25 years.

By doing so, you will save the innocent; wrongly convicted; and also the taxpayer burden of costly medical bills for aging and ill inmates.

Thank you for your consideration.

Christopher D. Simon

**Archived:** Monday, February 15, 2021 10:19:59 AM  
**From:** [Amy Ziminsky](#)  
**Sent:** Wednesday, February 3, 2021 7:08:00 AM  
**To:** [~House Criminal Justice and Public Safety](#)  
**Subject:** House Bill 138  
**Importance:** Normal

---

Dear Members,

Please consider passing this bill which will allow prisoners serving life sentences to be eligible for parole after 25 years. By doing so, you will save the taxpayer burden of costly medical bills for aging and ill inmates who may be innocent or wrongly convicted.

Thank you for your consideration.

Amy Ziminsky

**Archived:** Monday, February 15, 2021 10:19:59 AM

**From:** [Sonia Fortin](#)

**Sent:** Saturday, January 23, 2021 6:46:13 PM

**To:** [~House Criminal Justice and Public Safety](#)

**Subject:** House Bill 138

**Importance:** Normal

---

Dear Members,

Please consider passing this bill which would allow prisoners serving life sentences to be eligible for parole after 25 years.

By doing so, you will save the innocent; wrongly convicted; and also the taxpayer burden of costly medical bills for aging and ill inmates.

Thank you for your consideration.

Sonia Fortin-Simon

**Archived:** Monday, February 15, 2021 10:19:59 AM

**From:** [Maxine Bernier](#)

**Sent:** Monday, January 25, 2021 10:28:33 AM

**To:** [~House Criminal Justice and Public Safety](#)

**Subject:** House Bill 138

**Importance:** Normal

---

Dear Members,

Please consider passing this bill which would allow prisoners serving life sentences to be eligible for parole after 25 years.

By doing so, you will save the innocent; wrongly convicted; and also the taxpayer burden of costly medical bills for aging and ill inmates.

Thank you for your consideration.

Maxine Bernier



**Archived:** Monday, April 12, 2021 1:53:53 PM  
**From:** [Stephanie Taber](#)  
**Sent:** Tuesday, April 6, 2021 9:53:40 AM  
**To:** [~House Criminal Justice and Public Safety](#)  
**Subject:** Please Support HB 138  
**Importance:** Normal

---

Dear Representative,

New Hampshire has long held Life Without Parole to be one of the harshest sentences punishable by law. Because of the abolishment of the Death Penalty, it is now the harshest sentence punishable by law, which should be reserved for the harshest crime, that being capital murder. Without distinguishing the difference between the sentences, you fail to distinguish the elements of the crime. First degree murder should not be punishable under the same severity as capital murder. By not giving a lesser sentence for first degree murder, you're essentially saying everyone serving life without parole is being punished for capital murder. This is unconstitutional and eventually will lead to litigation on behalf of everyone serving life in prison for first degree murder. HB 138 alleviates this problem and ensures the harshest sentence punishable by law is only given for the harshest crime committed in the state. Other states that have abolished the death penalty have followed the same course of action and have now given lesser sentences for first degree murder usually averaging between 15-life and 25-life. Here are some examples of states that have abolished the death penalty and these are the sentences given now for first degree murder.

Connecticut: 25-Life	Maine: 25-Life
Maryland: 15-Life	Massachusetts: 15-Life
Rhode Island: 20-Life	Vermont: 35-Life
Virginia: 20-Life	
And numerous others	

New Hampshire would not be stepping out or creating something new with HB 138, they would simply be following similar statutes with states that have already abolished the death penalty and restructured sentencing for first and second degree murder.

First and second degree murder are often crimes of passion and those that commit them usually go on to never commit another crime upon release. The recidivism rate is among the lowest of all crimes committed. As a matter of fact, science has shown that among youthful offenders under the age of 21 that have committed murder, less than 5% go on to lead a criminal lifestyle during adulthood. HB 138 would provide those youth an opportunity to show rehabilitation, which is after all what prison was intended for, not to throw them away forever.

Please vote in favor of House Bill 138. Thank you!

Sincerely,  
Stephanie Taber

**Archived:** Friday, March 5, 2021 9:36:41 AM  
**From:** Max Abramson  
**Sent:** Wednesday, March 3, 2021 11:05:42 AM  
**To:** ~House Criminal Justice and Public Safety  
**Subject:** HB138 parole statistics from other states  
**Importance:** Normal  
**Attachments:**

parole percentage by state.jpeg 

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I was not referring only to those in the state prisons, but all of those who are being detained, including in police jails and county corrections. In the 1970's, there were just 200. As of about 2016, that number exceeded 3800 before we voted to build another women's prison. It has been within the discretion of parole boards to consider new evidence, though the courts almost never order a new trial when new evidence arises. And when someone is absolutely proven innocent (fewer than 1% of wrongful convictions or oversentencing), Innocence Project has had to spend an average of *8 years more behind bars* while prosecutors fight to keep people behind bars.

The "2/3 reduction" is only a 1/3 reduction as "time off for good behavior," but LWOP cases are not eligible for this. Very few people--almost none--have the courts later reduce their sentence. A 25 year parole hearing needs to be available to all who are serving time. Changing criminal sentences would not help those who are currently serving time, and many inmates have parents and children whom they need to support financially. Medical paroles are extremely rare and usually only offered *after* the inmate has expended a lot of public funds on medical specialists. Studies have shown (and I think that the NHCLU has them) that very long sentences over 25 years are not an effective deterrent for reducing crime. Moreover, older inmates very rarely commit subsequent crimes and so are more likely to be paroled.

<https://www.prisonpolicy.org/blog/2021/02/03/parolegrants/>

It is my opinion that the subsequent witness was not being honest with the Criminal Justice Committee and knew that she was blowing smoke. This has been an ongoing problem with criminal justice system, and I cannot emphasize enough that New Hampshire's criminal justice system is one of the most corrupt in the country, and that is saying a lot. "Lifers are not disciplinary problems" is a pretty powerful admission by the opposition to this bill. As wrongful conviction cases are becoming better known, as the public is becoming aware of prosecutorial misconduct, there are increasing demands placed on us to investigate wrongdoing in that institution. Power tends to corrupt, and absolute power corrupts absolutely.

A "negotiated plea" would be for a lesser crime, such as 2nd degree homicide, and they are eligible for an automatic parole hearing at 18 years. Nationally, the parole rate is much lower for First Degree homicide, as you would expect. What the witness was discussing with the 85% parole rate refers to the thousands inmates serving for lesser crimes.

Inmates have families, too. Whether wrongly convicted or not, it's help from the family and hope of possible release that are the biggest factors in reforming those who've been involved in a homicide, even if it later turns out that they were only an accomplice.

Remember that the "BLM riots" were joined by hundreds of thousands of peaceful protesters who were trying to get **our** attention on the gross unfairness and injustice of our courts, prisons, and big city police departments. I am not concerned about the danger of half a dozen 70 year olds being released from correctional facilities each year. I am concerned about a warning from Johnny Cash half a century ago in his song, Man In Black.

"I wear it for the prisoner who has long paid for his crime  
But is there because he's a victim of the time."

Rep. Max Abramson

Free Chad Evans. There is justice in Heaven, and there is justice in Hell. Both are therefore a law abider's utopia's compared to this monstrosity that our taxpayers are compelled to prop up.

"The problem isn't that Johnny can't read. The problem isn't even that Johnny can't think. The problem

is that Johnny doesn't know what thinking is; he confuses it with feeling." --Thomas Sowell  
"It is better to take refuge in the Lord than to trust in man." --Psalms 118:8

**Archived:** Friday, March 5, 2021 9:50:26 AM  
**From:** [Debra Gressel](#)  
**Sent:** Saturday, February 27, 2021 8:07:08 PM  
**To:** ~[House Criminal Justice and Public Safety](#)  
**Subject:** HB 138-FN  
**Importance:** Normal

---

Good day Committee Members,

Regarding HB 138-FN, whereby inmates who have served at least 25 years of a life sentence may be granted a parole hearing, I support this bill.

By allowing the inmates to be paroled after 25 years encourages mercy, saves taxpayers' dollars, and gives the inmates a chance to show that they have been rehabilitated.

I hope that you will consider this bill and in the end that it is enrolled.

Thank you for your consideration of this bill,

Debra Gressel  
10516 Casanova Drive  
Tallahassee, FL 32317

**Archived:** Friday, March 5, 2021 9:50:26 AM  
**From:** [Stephanie Taber](#)  
**Sent:** Saturday, February 27, 2021 7:49:42 PM  
**To:** ~House Criminal Justice and Public Safety  
**Subject:** Support HB138 - 25 Year Parole Hearing  
**Importance:** Normal

---

Dear Committee Members,

I believe that those who have worked hard to better themselves, as well as learning a skill and educating themselves, should be given a chance at parole. Twenty five years is enough time to identify the mistakes they've made, learn from those mistakes, and correct their behavior. Thank you for considering this bill and potentially giving rehabilitated inmates a chance to be contributing members of society.

Sincerely,  
Stephanie Taber

*\*I have a Loved One in a New Hampshire correctional facility serving Life Without Parole for a crime committed as a teenager.*

**Archived:** Monday, April 12, 2021 1:53:58 PM  
**From:** [Russell Roy \(via Google Docs\)](#)  
**Sent:** Tuesday, March 30, 2021 5:28:53 PM  
**To:** ~House Criminal Justice and Public Safety  
**Subject:** HB138-FN  
**Importance:** Normal

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russ.roy1@gmail.com has attached the following document:

 **Untitled document**

*Snapshot of the item below:*

March 30, 2021  
335 Cypress St, 2F  
Manchester, NH 03103  
[russ.roy@gmail.com](mailto:russ.roy@gmail.com)  
(603)560-1909

Dear Criminal Justice Committee Member,

I am writing to you today about [HB138-FN](#) allowing prisoners serving life sentences to be eligible for parole after 25 years. That bill was recently voted by the Committee 12-8 as ITL and is currently before the full House for an April 9 vote.

I urge your reconsideration in the full vote and ask your indulgence for a few words of support here.

This bill is by no means a get-out-of-jail-free card. It merely provides a chance for select individuals to be heard, to plead their case before the NH Parole Board. Only those who have shown genuine remorse and willingness to make amends by whatever means possible, have a clean record, have fulfilled all required rehabilitation programs required of them, have demonstrated themselves to have transformed their lives while in prison, and have a concrete and practical plan for success on the outside, would have some chance of seeing release in the end.

In the last year, with the death of George Floyd and having taken an interest in criminal justice reform matters, I began a correspondence with an inmate at the Concord State Prison. This man has now served over 45 years on a Life Without Parole Sentence for a murder he stupidly committed as an intemperate and immature 19-year-old. As a 65 year old man he is not the same person he was then.

To quote a hero of mine, Bryan Stevenson, a noted attorney and justice advocate:

*“Each of us is more than the worst thing we have ever done.”*

Which of us would want to be known forever as “The Liar”, “The Thief”, “The Cheater”, to have the whole of our identity irrevocably tied to a moment’s indiscretion or lapse in judgement?

It is often easier to look the other way than to show mercy. But a society is judged by how it treats its most vulnerable.

And what of the victims? What about their rights? What of the heinous crimes committed? Let me state unequivocally that victims and their families deserve all our support. In many cases their hurts and losses can never be undone. But relentless resentment and retribution only serve to imprison both. Restorative justice offers some hope and can serve as some measure to make amends.

In the end, our humanity depends on everyone’s humanity.

Thank for your time and consideration,

Russell Roy

PS: If you have already cast a vote in favor of the bill in committee I thank you and ask that you forward this letter appropriately and do whatever is within your power to persuade your colleagues toward passage in the vote before the full House.

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Google™

**Archived:** Monday, February 15, 2021 10:19:59 AM

**From:** Max Abramson


**Sent:** Thursday, January 28, 2021 1:11:28 PM

**To:** ~House Criminal Justice and Public Safety

**Subject:** Fw: HB 138 - 2021-0114h, Max Abramson

**Importance:** Normal

**Attachments:**

[HB 138 - 2021-0114h.pdf](#) 

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This proposed amendment is just a correction to HB138. This is the same as last year's effort to ensure that everyone (except for Addison or someone who kills a corrections officer) who is serving more than 25 years behind bars gets a parole hearing at the 25 year mark. About 190 inmates would eventually become eligible for this hearing and the possibility of returning to their families, albeit too old for some of them to start a new life.

The reasons I put this bill in are:

- dramatically high and rising cost of sending medical specialists in to care for older inmates, especially in the last years of their lives
- forensic methods used to convict people 25 years ago have not held up for scrutiny and are often no longer admissible
- new information that many people wrongly confessed to crimes that they didn't commit
- new information that 44% of Americans have said that they're willing to convict someone on the accusation of just a single witness
- Innocence Project has found many cases where the DNA showed that the real killer was the one witness who testified against the accused
- new information has shown that very long prison sentences are not an effective deterrent to crime
- correction officer safety and stress levels

Rep. Max Abramson

Free Chad Evans.

"The problem isn't that Johnny can't read. The problem isn't even that Johnny can't think. The problem is that Johnny doesn't know what thinking is; he confuses it with feeling." --Thomas Sowell

"It is better to take refuge in the Lord than to trust in man." --Psalms 118:8

**Sent:** Wednesday, January 27, 2021 at 9:53 AM

**From:** "AskOLS" <AskOLS@leg.state.nh.us>

**To:** "Max Abramson" <Max.Abramson@leg.state.nh.us>

**Subject:** HB 138 - 2021-0114h, Max Abramson

Attached please find a PDF of amendment 2021-0114h to HB 138 requested by Rep. Max Abramson.

Please note that the amendment copy contains the "UNAPPROVED" watermark. Once OLS is notified that the amendment has been officially adopted by committee action, OLS will remove the watermark and release the amendment to the Clerk.

Sincerely,

Office of Legislative Services

State House, Rm 109

603-271-3435



**Archived:** Monday, February 15, 2021 10:19:59 AM

**From:** MARGO

**Sent:** Tuesday, January 26, 2021 2:19:28 PM

**To:** ~House Criminal Justice and Public Safety

**Subject:** support for HB 138 and HB 598

**Importance:** Normal

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Dear Representative,

I would like to add my support to HB 138 which allows prisoners serving a life sentence to be eligible for parole after 25 years and also HB 598 which provides incarcerated persons to be eligible for parole at 50% of their minimum sentence.

I believe this would help the tax payers as well as the inmate. I know several current and past State and Federal inmates, as well as doing volunteer work at the state Prison for woman when it was in Goffstown for several years. I am a retired high school teacher and a member in good standing in several organizations.

I believe that if someone is serving life and a possibility of parole is far away or not an option than prison becomes their home territory to run and protect as they see fit. There is no incentive for them to do anything but get in trouble and cause harm to others,. They don't care about injuring others and there is no reason for them to strive for anything but surviving.

One case was a young man from Dover that did get life. In prison he became a part of a group, he killed another inmate, there was no reason for him not to. The prison system failed to protect the inmate that was killed. This man is now incarcerated out of state. This man went to prison as a teenager.

Another inmate, serving 20 years, has been nothing but trouble in prison, he will have 10 years this year. He told me that the first part of his sentence didn't matter so in a couple years he will do better and become a model prisoner to show "improvement" for his parole hearing. As a result of his misbehavior he did receive added time but it was not a deterrent for him. What's another year when you have 20?

Had he been given the opportunity to reduce his sentence in half through good behavior and programs he most likely would have preferred to do that. Thereby helping the taxpayer and inmate.

The law on capital punishment has changed. I believe NH still has the highest number of incarcerated people per capita than any other state. It is time to change some of our laws and give the inmate the incentive and opportunity to get back on their feet if they choose to. I believe that given a choice of completing programs and with good behavior as an incentive to get out earlier, then the responsible inmates will strive to better themselves to be released. Obviously if an inmate has not shown any incentive to do better than they don't get parole.

Thank you for your consideration in this matter.

Margo Merrow Karamanoogian

mmk1953@comcast.net

27 Sandstone Drive

Bedford , NH 03110

603 540 9096

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Bill as  
Introduced

HB 138-FN - AS INTRODUCED

2021 SESSION

21-0183

04/06

HOUSE BILL            ***138-FN***

AN ACT                allowing prisoners serving life sentences to be eligible for parole after 25 years.

SPONSORS:            Rep. Abramson, Rock. 37; Rep. Conley, Straf. 13

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill requires parole review of certain offenders sentenced to life without parole.

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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 Twenty One*

AN ACT allowing prisoners serving life sentences to be eligible for parole after 25 years.

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

1 1 New Paragraph; Parole of Prisoners; Terms of Release. Amend RSA 651-A:6 by inserting after  
2 paragraph IV the following new paragraph:

3 V.(a) Notwithstanding any provision of law to the contrary, a prisoner serving a sentence of  
4 life imprisonment, with or without the possibility for parole, shall be eligible for parole review after  
5 serving a term of 18 years for a conviction for second degree murder under RSA 630:1-b, and after  
6 serving a term of 25 years for a conviction for any other offense for which the prisoner was sentenced  
7 to life imprisonment without the possibility for parole.

8 (b) This paragraph shall not apply to:

9 (1) A prisoner convicted of capital murder and sentenced to death before the effective  
10 date of this paragraph; or

11 (2) A prisoner who is convicted of murder while serving a sentence in a correctional  
12 facility.

13 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 138-FN- FISCAL NOTE  
 AS INTRODUCED**

AN ACT allowing prisoners serving life sentences to be eligible for parole after 25 years.

**FISCAL IMPACT:**  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**METHODOLOGY:**

This bill requires parole review of certain offenders sentenced to life without parole. The Department of Corrections indicates there are currently 114 individuals that would be eligible for parole before their minimum sentence and 75 individuals that would become eligible for parole review that are serving sentences of life without parole. The Department cannot predict the number of people that would or would not be released on parole under this bill. The Department states the fiscal impact is indeterminable, but expects the impact would either be no change or a decrease in expenditures.

It is assumed any fiscal impact of this bill will not occur until FY 2022.

**AGENCIES CONTACTED:**

Department of Corrections