

# Committee Report

# CONSENT CALENDAR

February 26, 2021

## HOUSE OF REPRESENTATIVES

### REPORT OF COMMITTEE

The Committee on Criminal Justice and Public Safety  
to which was referred HB 525-FN,

AN ACT relative to the seizure of personal computers  
and other electronic devices in child sexual assault  
cases. Having considered the same, report the same  
with the following resolution: **RESOLVED**, that it is  
**INEXPEDIENT TO LEGISLATE.**

Rep. John Burt

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Criminal Justice and Public Safety</b>
Bill Number:	<b>HB 525-FN</b>
Title:	<b>relative to the seizure of personal computers and other electronic devices in child sexual assault cases.</b>
Date:	<b>February 26, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### STATEMENT OF INTENT

This bill relative is well intended yet once the amendment was put forth, the majority of the committee feels current laws take care of the issue and a warrant must be requested in these cases.

Vote 20-1.

Rep. John Burt  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Criminal Justice and Public Safety

**HB 525-FN**, relative to the seizure of personal computers and other electronic devices in child sexual assault cases. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. House Bill 525 relative to the seizure of personal computers and other electronic devices in child sexual assault cases is well intended yet once the amendment was put forth the majority of the committee feels current laws take care of the issue and a warrant must be requested in these cases.

**Vote 20-1.**

Original: House Clerk  
Cc: Committee Bill File

# Voting Sheets



## 2021 SESSION

## Criminal Justice and Public Safety

 Bill #: 525 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 2/24

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	20		
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	.	1	
Rhodes, Jennifer M. Clerk	9		
Harriott-Gathright, Linda C.	10		
Pantelakos, Laura C.	11		
O'Hearne, Andrew S.	12		
Bordenet, John	13		
Meuse, David	14		
Newman, Ray E.	15		
Bouldin, Amanda C.	16		
Conley, Casey M.	17		
Klein-Knight, Nicole	18		
Bradley, Amy	19		



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:



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on Bill # 525

BILL TITLE: ~~525~~ Relative to the Seizure of personal computers

DATE: 4/26/2021 & other electronic devices in child sexual  
ASSAULT cases

LOB ROOM: 306

MOTION: (Please check one box)

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

Moved by Rep. Burt Seconded by Rep. Wallace Vote: 20/1

MOTION: (Please check one box)

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

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 # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

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

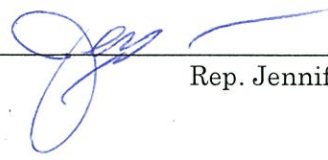
MOTION: (Please check one box)

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

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



# Public Hearing

# House Remote Testify

## Criminal Justice and Public Safety Committee Testify List for Bill HB525 on 2021-02-26

Support: 1 Oppose: 11 Neutral: 0 Total to Testify: 1

[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>	<u>Signed Up</u>
Aldenberg, Allen	Manchester, NH aaldenbe@manchesternh.gov	A Member of the Public	Myself	Oppose	Yes (3m)	No	2/24/2021 2:47 PM
Groetzinger, Tonda	Farmington, NH groetzinger6@aol.com	A Member of the Public	Myself	Oppose	No	No	2/25/2021 1:56 PM
Thomas, Nicholas	Manchester, NH nicholas.w.thomas@uconn.edu	A Member of the Public	Myself	Oppose	No	No	2/25/2021 10:29 PM
Spence, Scott	Manchester, NH scottspence31@gmail.com	A Member of the Public	Myself	Support	No	No	2/26/2021 8:49 AM
Howard Jr., Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Myself	Oppose	No	No	2/26/2021 9:12 AM
Mennella, Alexandra	Hooksett, NH amennella1@protonmail.com	A Member of the Public	Myself	Oppose	No	No	2/25/2021 6:29 PM
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/20/2021 1:53 PM
Babb, Paul	Antrim, NH paulbabb@protonmail.com	A Member of the Public	Myself	Oppose	No	No	2/21/2021 5:28 PM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/21/2021 2:47 PM
Howland, Curt	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	2/21/2021 7:53 PM
Cooper, Katherine	Epping, NH katherine@NHACDL.org	A Lobbyist	NH Association of Criminal Defense Lawyers	Oppose	No	No	2/23/2021 2:14 PM
Axelman, Elliot	HOOKSETT, NH aluaxelman@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/23/2021 4:15 PM

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 525-FN

**BILL TITLE:** relative to the seizure of personal computers and other electronic devices in child sexual assault cases.

**DATE:** February 26, 2021

**LOB ROOM:** 306 **Time Public Hearing Called to Order:** 10:45 AM

**Time Adjourned:** 11:30 AM

**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. Marston

TESTIMONY

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

**Rep. Mabton – Sponsor**

- Constituent's child was sexually assaulted and the parent had concern about the child's photo being on the perpetrators computer

**Q:** Rep. Testerman – Wouldn't you want all computers due to laptops/tablets etc.

**A:** No, not allowed

**Scott Spence – Parent of victim – Support**

- Because the computer wasn't mentioned, it wasn't confiscated for evidence

**Q:** Rep. Wallace – You are trying to prevent another parent from experiencing what your family had and want to prevent/know if your child's trauma is not circulating, correct?

**A:** Yes

**Q:** Rep. Meuse – Do you know if the separate dept. in the police Brce coordinated with each other?

**A:** I don't know – not satisfied with how it was handled

**Chief Allen Aldenberg**

- It is unfortunate that this was the result of a bad situation – there was not enough probable cause in this case
- Stressed it is very unfortunate and they did try to get the computer

**Q:** Rep. Abbas – The police did try to obtain a warrant correct?

**A:** Yes

**Q:** Several members all asked the same question (Reps. Pantelakos, Newman and Burt) – asking about search warrants and if that is already the law

**A:** Yes – to all

Respectfully submitted,

Rep. Jennifer Rhodes

# Testimony

Bill as  
Introduced

HB 525-FN - AS INTRODUCED

2021 SESSION

21-0669

04/10

HOUSE BILL

***525-FN***

AN ACT

relative to the seizure of personal computers and other electronic devices in child sexual assault cases.

SPONSORS:

Rep. Marston, Hills. 19

COMMITTEE:

Criminal Justice and Public Safety

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ANALYSIS

This bill allows the seizure of a personal computer or other electronic device that has been used for the possession, distribution, or manufacture of child sexual abuse images or child exploitation, based on probable cause and without a search warrant.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

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                    relative to the seizure of personal computers and other electronic devices in child sexual assault cases.

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

1            1 Name of Act. This act shall be known as Blake's Law.

2            2 New Section; Child Sexual Abuse Images; Seizure of Personal Computer or Other Electronic  
3 Device. Amend RSA 649-A by inserting after section 6 the following new section:

4            649-A:6-a Seizure of Personal Computer or Other Electronic Device. A law enforcement officer  
5 who has probable cause to believe that a personal computer or other electronic device is being used  
6 to violate any provision of this chapter may, without obtaining a search warrant, seize such personal  
7 computer or other electronic device as evidence.

8            3 New Section; Computer Pornography and Child Exploitation Prevention; Seizure of Personal  
9 Computer or Other Electronic Device. Amend RSA 649-B by inserting after section 6 the following  
10 new section:

11           649-B:7 Seizure of Personal Computer or Other Electronic Device. A law enforcement officer  
12 who has probable cause to believe that a personal computer or other electronic device is being used  
13 to violate any provision of this chapter may, without obtaining a search warrant, seize such personal  
14 computer or other electronic device as evidence.

15           4 Effective Date. This act shall take effect January 1, 2022.

LBA  
21-0669  
1/8/21

**HB 525-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                   relative to the seizure of personal computers and other electronic devices in child sexual assault cases.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2021 through 2024.

**AGENCIES CONTACTED:**

None