

Bill as Introduced

HB 123-FN - AS AMENDED BY THE HOUSE

7Apr2021... 0760h

2021 SESSION

21-0093
04/05

HOUSE BILL ***123-FN***

AN ACT granting immunity from prosecution for prostitution for reporting a sexual assault.

SPONSORS: Rep. Klein-Knight, Hills. 11; Rep. Cushing, Rock. 21; Rep. Welch, Rock. 13; Rep. Bouchard, Hills. 11; Rep. Roy, Rock. 32

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill provides immunity from prosecution for prostitution for a person reporting to law enforcement that such person or another person is the victim of a sexual assault.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 granting immunity from prosecution for prostitution for reporting a sexual assault.

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

1 1 Legislative Intent. It is the intent of the general court to encourage a victim of sexual assault
2 as defined in RSA 632-A:2, 632-A:3, or 632-A:4 to report such crimes to law enforcement by
3 establishing a state policy of protecting the victim from arrest, prosecution, and conviction for
4 prostitution if they report such a crime. The immunity from arrest, prosecution, or conviction shall
5 extend to cases in which a victim has come forward to law enforcement.

6 2 New Paragraphs; Prostitution and Related Offenses; Immunity From Prosecution. Amend
7 RSA 645:2 by inserting after paragraph VI the following new paragraphs:

8 VII. As used in this section, "reports being the victim of a sexual assault or other crime"
9 means reporting the initial crime to law enforcement and does not include further cooperation.

10 VIII. It shall be a defense to a violation of this section that a person reports being the victim
11 of a sexual assault as defined in RSA 632-A:2, 632-A:3, or 632-A:4. A person who reports being the
12 victim of such an offense shall not be arrested, prosecuted, or convicted for a violation of this section
13 if the evidence for the charge was gained as a proximate result of the person's reporting. Any victim
14 seeking medical treatment following a sexual assault will be afforded all options of care outlined in
15 the New Hampshire attorney general's sexual assault medical forensic exam protocol without
16 making a report to or cooperating with law enforcement.

17 IX. Nothing in this section shall be construed to limit the admissibility of evidence in
18 connection with the investigation or prosecution of a crime involving a person who is not protected as
19 provided in paragraph VIII. Nothing in this section shall be construed to limit the lawful seizure of
20 any evidence or contraband. Nothing in this section shall be construed to limit or abridge the
21 authority of a law enforcement officer to detain or place into custody a person as part of a criminal
22 investigation who is not protected by the provisions of paragraph VIII.

23 3 Effective Date. This act shall take effect January 1, 2022.

HB 123-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2021-0760h)

AN ACT granting immunity from prosecution for prostitution for reporting a sexual assault.

FISCAL IMPACT: State County Local None

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

METHODOLOGY:

This bill provides immunity from prosecution for prostitution for a person reporting to law enforcement that such person is the victim of a sexual assault. This bill contains penalties that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many fewer charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2021	FY 2022
Violation Level Offense	\$53	\$53
Class B Misdemeanor	\$55	\$55
Class A Misdemeanor	\$78	\$78
Simple Criminal Case	\$309	\$309
Appeals	Varies	Varies

It should be noted that average case cost estimates for FY 2021 and FY 2022 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department would likely absorb the cost within its existing budget. If the Department needs to prosecute significantly more cases or handle more appeals, then costs may increase by an indeterminable amount.

The Judicial Council indicates, under the current law, prostitution is charged as a misdemeanor unless there are aggravating factors, in which case it is charged as a class B felony. The Council states it is unclear how many future prosecution charges would not be brought as a result of this legislation. Historically, the Public Defender program has been appointed to less than 30 prostitution cases per year. The Council assumes, due to the small number of prosecution cases, that any reduction due to this legislation would have a meaningful impact on indigent defense expenditures.

The New Hampshire Association of Counties indicates this bill would result in no discernable costs to the counties.

AGENCIES CONTACTED:

Judicial Branch, Department of Justice, Judicial Council and New Hampshire Association of Counties

CHAPTER 78
HB 123-FN - FINAL VERSION

7Apr2021... 0760h

2021 SESSION

21-0093
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HOUSE BILL ***123-FN***

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COMMITTEE: Criminal Justice and Public Safety

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CHAPTER 78
HB 123-FN - FINAL VERSION

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT granting immunity from prosecution for prostitution for reporting a sexual assault.

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

1 78:1 Legislative Intent. It is the intent of the general court to encourage a victim of sexual
2 assault as defined in RSA 632-A:2, 632-A:3, or 632-A:4 to report such crimes to law enforcement by
3 establishing a state policy of protecting the victim from arrest, prosecution, and conviction for
4 prostitution if they report such a crime. The immunity from arrest, prosecution, or conviction shall
5 extend to cases in which a victim has come forward to law enforcement.

6 78:2 New Paragraphs; Prostitution and Related Offenses; Immunity From Prosecution. Amend
7 RSA 645:2 by inserting after paragraph VI the following new paragraphs:

8 VII. As used in this section, "reports being the victim of a sexual assault or other crime"
9 means reporting the initial crime to law enforcement and does not include further cooperation.

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11 of a sexual assault as defined in RSA 632-A:2, 632-A:3, or 632-A:4. A person who reports being the
12 victim of such an offense shall not be arrested, prosecuted, or convicted for a violation of this section
13 if the evidence for the charge was gained as a proximate result of the person's reporting. Any victim
14 seeking medical treatment following a sexual assault will be afforded all options of care outlined in
15 the New Hampshire attorney general's sexual assault medical forensic exam protocol without
16 making a report to or cooperating with law enforcement.

17 IX. Nothing in this section shall be construed to limit the admissibility of evidence in
18 connection with the investigation or prosecution of a crime involving a person who is not protected as
19 provided in paragraph VIII. Nothing in this section shall be construed to limit the lawful seizure of
20 any evidence or contraband. Nothing in this section shall be construed to limit or abridge the
21 authority of a law enforcement officer to detain or place into custody a person as part of a criminal
22 investigation who is not protected by the provisions of paragraph VIII.

23 78:3 Effective Date. This act shall take effect January 1, 2022.

Approved: June 18, 2021
Effective Date: January 01, 2022

Committee Minutes

SENATE CALENDAR NOTICE

Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Harold French, Member
Sen Rebecca Whitley, Member
Sen Jay Kahn, Member

Date: April 15, 2021

HEARINGS

Tuesday		04/20/2021
(Day)		(Date)
Judiciary	REMOTE	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.	HB 123-FN granting immunity from prosecution for prostitution for reporting a sexual assault.	
1:15 p.m.	HB 546-FN relative to 911 immunity for reporting that a person has been the victim of a violent crime.	
1:30 p.m.	HB 200-FN increasing the penalty for certain invasions of privacy.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/96069474017>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +13126266799,,96069474017# or +16465588656,,96069474017#
4. Webinar ID: 960 6947 4017
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCiBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 123-FN

Rep. Klein-Knight
Rep. Roy

Rep. Cushing

Rep. Welch

Rep. Bouchard

HB 546-FN

Rep. Amanda Bouldin
Rep. Bordenet
Sen. Rosenwald

Rep. Andrew Bouldin
Rep. Meuse
Sen. Watters

Rep. Conley
Rep. Roy
Sen. Reagan

Rep. DiLorenzo
Rep. Abbas
Sen. Whitley

HB 200-FN
Rep. Vincent

Jennifer Horgan 271-7875

Sharon M Carson
Chairman

Senate Judiciary Committee
Jennifer Horgan 271-7875

HB 123-FN, granting immunity from prosecution for prostitution for reporting a sexual assault.

Hearing Date: April 20, 2021

Time Opened: 1:05 p.m.

Time Closed: 1:24 p.m.

Members of the Committee Present: Senators Carson, Gannon, French and Whitley

Members of the Committee Absent : Senator Kahn

Bill Analysis: This bill provides immunity from prosecution for prostitution for a person reporting to law enforcement that such person or another person is the victim of a sexual assault.

Sponsors:

Rep. Klein-Knight

Rep. Cushing

Rep. Welch

Rep. Bouchard

Rep. Roy

Who supports the bill: 102 people signed up in support of the bill. Full sign in sheet available upon request.

Who opposes the bill: 2 people signed up in opposition to the bill. Full sign in sheet available upon request.

Summary of testimony presented in support:

Representative Klein Knight

- Gave the bill's legislative history.
- Women are trafficked and held hostage by abusers that tell them they can't get out of the situation because they are doing something illegal.
- There was testimony from sex workers last year on this bill and some of their stories were very hard to hear.
- This bill only applies where someone has come forward to make a claim that they were assaulted.
- A person cannot get in trouble and then after the fact claim they were sexually assaulted.
- SB122 is moving to the House from the Senate and has the same language as this.

Pamela Keilig (Coalition Against Domestic and Sexual Violence) (provided written testimony)

- The fear of being arrested should never prohibit a victim for reporting that they have been sexually assaulted.
- The unique responses caused by sexual violence can make it challenging to come forward and sex workers are particularly vulnerable.
- Sexual assault is one of the most underreported crimes and this bill will help eliminate the barriers victims might face when deciding to come forward.
- This will align NH with federal policy and ensure compliance with the Violence Against Women Act (VAWA).
- In 2005 VAWA was reauthorized with landmark changes, specifically affecting the response of law enforcement agencies and health care facilities to victims of sexual assault.
- These changes specify that victims are not required to participate in the criminal justice system or cooperate with law enforcement to receive a forensic medical exam, be reimbursed for the exam, or both.
- This bill will ensure NH remains eligible for the funding from VAWA.
- No rape victim who comes forward should be arrested as a consequence.
- Senator Whitley asked for more information about the VAWA funding.
 - Will provide the Committee with more exact details. The state receives money through the Department of Justice and that is allocated to legal services, crisis centers, law enforcement, and medical providers.
- Senator Gannon asked about the concern of false accusations.
 - Understands that under this bill it is in the course of reporting the sexual assault that someone is granted immunity. Does not think the false accusation aspect applies.

Honorable Joe Hannon

- Current law allows for victims of violent crimes to be victimized again.
- It is dangerous for our communities to allow sexually abusive individuals to go unchecked.
- Has witnessed and provide medical treatment to several victims who refused to file charges due to fear of prosecution for drugs or prostitution.
- His wife is an emergency room physician who had the same experience.
- In light of the fact that people often do not come forward for any kind of rape and we have a population that is much more likely to be raped in the course of their work, it becomes very important to give this consideration to sex workers.
- 45-75% of sex workers experience sexual violence globally.
- A 2004 report to the United Nations stated that police violence against sex workers is a pattern that includes sexual assault, harassment, public searches, and rape.
- Because of the stigmatizing notion that sex workers cannot be victims of sexual assault, sex workers are usually left out of the national conversation.
- Sex workers have 32-55% chance of experiencing sexual violence in a given year.

- Implying sex workers are a special class of people that need to lie is discriminatory and reveals a certain level of bias.

Crystal DeBoise

- People generally come forward in these cases when they are assisted by a social worker or community leader.
- Has never seen a sex worker, in the midst of being arrested, trying to formulate a defense based on victimhood.
- Coming forward is a thoughtful and important thing that is a service to society.
- Strongly supports making this broader to cover other crimes like robbery, physical assault, and human trafficking.
- Criminals pose as clients of sex workers because they know it is a shadow area, they can take advantage of.

Summary of testimony presented in opposition:

Katherine Cooper (Association of Criminal Defense Lawyers)

- This bill invites false accusations of sexual assault to avoid prosecution for prostitution.
- House testimony spoke to how evidence gathered during a medical exam would not be used to support a prosecution for prostitution. Has no problem with that.
- This bill is structured in a way that any time a prostitute is arrested they will be able to avoid conviction by claiming either truly or falsely that they were sexually assaulted.
- Very aware of the dangers prostitutes face but these transactions can also have many different power dynamics and nuances.
- It is not accurate or fair to categorize all prostitutes as victims and all purchasers as evil men.
- If the goal of this is to help prostitutes avoid victimization, then legalization and regulation of prostitution is the proven way to reduce the abuse, the spread of disease, and the trauma.
- Senator French asked if the charges and penalties for hiring a prostitute are the same as for a sexual assault.
 - No, they are separate statutes. There is a variety of types of penalties, and it depends on whether it is a severe assault. If this bill was re-drafted would like to see assault to be included and not just sexual assault.
- Senator French asked if a sex worker says they were assaulted to get out of charges, would the penalties for the buyer increase substantially in opposition to just prostitution.
 - It would likely add a charge of sexual assault against the buyer. This creates an incentive to lie in order to get out of prosecution. We don't want people to lie, but we all know that it happens.

Speakers

Senate Remote Testify

Judiciary Committee Testify List for Bill HB123 on 2021-04-20

Support: 102 Oppose: 2 Neutral: 0 Total to Testify: 4

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Keilig, Pamela	pkeilig@nhcadsv.org	603-219-8474	A Lobbyist	New Hampshire Coalition Against Domestic and Sexual Violence	Support	Yes	4/19/2021 10:52 AM
Cooper, Katherine	katherine@nhacd.org	603.674.4885	A Lobbyist	NH Association of Criminal Defense Lawyers	Oppose	Yes	4/19/2021 10:32 AM
Klein, Nicole	Nicole.kleinknight@leg.state.nh.us	603.380.8074	An Elected Official	Ward 4 Manchester	Support	Yes	4/20/2021 10:54 AM
Hannon, Joe	Joehannon4nh@gmail.com	603.418.5531	A Member of the Public	Myself	Support	Yes	4/20/2021 1:02 PM
Newalu, Trisha	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 1:04 PM
Bean Burpee, Anthony	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 1:05 PM
Stillman, Richard	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 2:26 PM
LAPOINTE, VICTORIA	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:11 PM
Fisher, Gary	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 1:14 PM
Sprankle, Jeff	jsprankle@merrimacknh.gov	603.420.1871	A Member of the Public	Myself	Support	No	4/20/2021 1:19 PM
Goldstein, David	dgoldstein@franklinnh.org	16039989782	A Member of the Public	Myself	Support	No	4/20/2021 1:24 PM
McFadden, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 1:50 PM
Chase, Mark	mchasechpd@metrocast.net	603.253.9756	A Member of the Public	Myself	Support	No	4/20/2021 2:08 PM
MAILLE, CHRISTINE	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:37 PM
Weston, Joyce	jweston14@roadrunner.com	Not Given	An Elected Official	Myself	Support	No	4/17/2021 7:20 AM
Fenner-Lukaitis, Elizabeth	glukaitis@mcttelecom.com	Not Given	A Member of the Public	Myself	Support	No	4/17/2021 7:34 AM
Casino, Joanne	joannecasino@comcast.net	603.746.3491	A Member of the Public	Myself	Support	No	4/17/2021 9:01 AM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Support	No	4/18/2021 8:41 PM
Schmidt, Jan	tesha4@gmail.com	603.880.6060	An Elected Official	Myself	Support	No	4/17/2021 2:16 PM
Grassie, Chuck	chuck.grassie@leg.state.nh.us	16039787417	An Elected Official	Strafford 11	Support	No	4/18/2021 11:09 PM
McNamee, Brigid	brigidmcnamee@yahoo.com	603.223.0139	A Member of the Public	Myself	Support	No	4/19/2021 6:15 AM
Bouchard, Donald	donaldjbouchard@gmail.com	603.622.0388	An Elected Official	Myself	Support	No	4/19/2021 12:44 PM
Bates, David	dcbates70@gmail.com	603.456.2578	A Member of the Public	Myself	Support	No	4/16/2021 6:38 PM

Osborne, Stephanie	Not Given	(603) 238-31	A Member of the Public	Myself	Support	No	4/17/2021 8:50 AM
Istel, Claudia	claudia@sover.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 10:56 AM
Levesque, Cassandra	cassandra.levesque@leg.state.nh.us	Not Given	An Elected Official	Myself	Support	No	4/20/2021 10:59 AM
Moccia, Lianne	lianne.moccia@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 11:02 AM
Noyes, David	pdchief@wvpublicsafety.com	603.236.4732	A Member of the Public	Myself	Support	No	4/20/2021 11:52 AM
Estey, Holly	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 11:54 AM
Lindbom, Dan	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 11:58 AM
Conley, Daniel	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:04 PM
Josh, Tyrrell	Not Given	Not Given	State Agency Staff	Myself	Support	No	4/20/2021 12:11 PM
Koburger, Penny	Pennykob@gmail.com	603.667.0951	A Member of the Public	Myself	Support	No	4/20/2021 9:17 AM
Ford, Debra	dford@mvrds.org	603.632.5563	A Member of the Public	Myself	Support	No	4/20/2021 9:58 AM
Connelly, Christopher	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:14 PM
Richardi, Domenic	drichardi@carrollcountynh.net	16035392284	A Member of the Public	Myself	Oppose	No	4/20/2021 12:45 PM
Reynolds, Charles	reynolds.charles@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:46 PM
Mahoney, Joseph	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:52 PM
olson, alix	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:58 PM
Larson, Ruth	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/18/2021 9:50 PM
Perencevich, Ruth	rperence@comcast.net	603.225-7641	A Member of the Public	Myself	Support	No	4/18/2021 10:18 PM
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Support	No	4/19/2021 7:24 AM
Johnson, Sara	nhchicagocubfan@gmail.com	603-748-5779	A Member of the Public	Myself	Support	No	4/17/2021 9:41 AM
Almy, Susan	susan.almy@comcast.net	603.448.4769	An Elected Official	Myself	Support	No	4/17/2021 5:45 PM
Hunnewell, Richard	hunnewell.richard@gmail.com	603.536.4015	A Member of the Public	Myself	Support	No	4/18/2021 8:29 PM
Hunnewell, Anne	ahunne@roadrunner.com	603.536.4015	A Member of the Public	Myself	Support	No	4/18/2021 8:30 PM
Lucas, Janet	janluca1953@gmail.com	16037267614	A Member of the Public	Myself	Support	No	4/19/2021 8:21 AM
Petruccelli, Maxine	maxinepet@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:22 AM
Petruccelli, Charles	chasmxpet@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:23 AM
Torpey, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:35 AM
Reed, Barbara D.	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:54 AM
Lieberman, Sheryl	saml54@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:01 AM
Bixby, Peter	peter.bixby@leg.state.nh.us	16037495659	An Elected Official	Myself	Support	No	4/19/2021 8:57 AM
Goggans, Ron	rongoggans@gmail.com	614.378.1995	An Elected Official	Myself	Support	No	4/19/2021 9:23 AM
Wild, Gail	gailwild@gmail.com	603.863.3121	A Member of the Public	Myself	Support	No	4/19/2021 9:42 AM
Wiggins, Frank	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:43 AM
Feole, Danielle	feole.danielle@gmail.com	978.778.6269	A Member of the Public	Myself	Support	No	4/19/2021 10:00 AM
Hackmann, Kent	hackmann@uidaho.edu	16039343225	A Member of the Public	Myself	Support	No	4/19/2021 10:50 AM
Hinebauch, Mel	melhinebauch@gmail.com	603.224.4866	A Member of the Public	Myself	Support	No	4/19/2021 12:11 PM
Straiton, Marie	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 1:41 PM

Ballentine, John M	mikeb@btine.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 2:28 PM
Schapiro, Joe	joe.schapiro@leg.state.nh.us	603.852.5039	An Elected Official	Cheshire 16, Keene	Support	No	4/19/2021 2:34 PM
Rettew, Annie	abrettew@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:10 PM
Davis, Gregory	glospreys@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:37 PM
Rich, Cecilia	cecilia.rich@leg.state.nh.us	603.380.8679	An Elected Official	Myself	Support	No	4/19/2021 4:53 PM
Koch, Helmut	helmut.koch.2001@gmail.com	603.491.3306	A Member of the Public	Myself	Support	No	4/19/2021 5:08 PM
Vincent, Laura	lvlauravincen5@gmail.com	603.783.4849	A Member of the Public	Myself	Support	No	4/19/2021 5:14 PM
Fellows, Sallie	Not Given	Not Given	An Elected Official	Myself	Support	No	4/19/2021 6:06 PM
Taylor, Sue	sueetaylor158@gmail.com	603.675.6566	A Member of the Public	Myself	Support	No	4/19/2021 6:11 PM
Gordon, Laurie	Lmgord23@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 5:37 PM
Koch, Laurie	kochlj@aol.com	603.491.2000	A Member of the Public	Myself	Support	No	4/19/2021 5:41 PM
Crook, Mary	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 5:51 PM
Laker-Phelps, Gail	lpsart@tds.net	603.798.5394	A Member of the Public	Myself	Support	No	4/19/2021 6:16 PM
Rayton, Linden	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:00 PM
Defuria, Claudia	gregs999@aol.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:11 PM
Gordon, Margaret	Megordon98@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:15 PM
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Support	No	4/19/2021 7:40 PM
Falk, Cheri	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:40 PM
Madison, Andrew	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:32 PM
Schapira, Carol	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:59 PM
Dontonville, Roger	rwdontonville@gmail.com	603.632.7719	An Elected Official	Myself	Support	No	4/19/2021 9:12 PM
st.martin, tom (from NH)	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:29 PM
Hamblet, Joan	joan.hamblet@leg.state.nh.us	603.205.4925	An Elected Official	Myself	Support	No	4/19/2021 9:49 PM
Spencer, Louise	lpskentstreet@gmail.com	603.491.1795	A Member of the Public	Myself	Support	No	4/19/2021 10:10 PM
King, Walter	genedocwk@comcast.net	603.978.9775	A Member of the Public	Myself	Support	No	4/19/2021 10:35 PM
Billingham, Carla	billingham2@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:36 AM
Sinclair-Pappas, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 5:36 AM
Toll, Amanda	electamandanh@gmail.com	603.860.1994	An Elected Official	Myself	Support	No	4/20/2021 7:28 AM
Rasmussen, Elissa	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:36 AM
Bates, Marion	the.bates@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:41 AM
McPeek, Gail	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:57 AM
Murray, Megan	megan.murray@leg.state.nh.us	Not Given	An Elected Official	Hillsborough District 22	Support	No	4/20/2021 7:59 AM
Lemoui, Claude	Not Given	603-523-2224	A Member of the Public	Myself	Support	No	4/20/2021 8:23 AM
Thomas, Elaine	Not Given	Not Given	An Elected Official	Myself	Support	No	4/20/2021 8:57 AM
Hennessey, Martha	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 9:43 AM
Covert, Susan	scovert@comcast.net	603.746.4486	A Member of the Public	Myself	Support	No	4/20/2021 9:45 AM

Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 6:00 AM
Lewandowski, Jean	jlewando@hotmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 10:15 AM
Sargent, Elizabeth	esargent@sheehan.com	603-568-0213	A Lobbyist	NH Association of Chiefs of Police	Support	No	4/20/2021 11:27 AM
Hackett, Doug	doug.hackett@cornishnh.net	603.543.0535	A Member of the Public	Myself	Support	No	4/20/2021 11:35 AM
Parsons, John	jparsons@granthamnh.net	16038636844	A Member of the Public	Myself	Support	No	4/20/2021 11:46 AM
Laurent, Tara	tlaurent@greenlandpd.us	603.431.4624	A Member of the Public	Greenland Police Department	Support	No	4/20/2021 11:47 AM
Levesque, Brian	blevesque@merrimacknh.gov	603.860.4478	A Member of the Public	Myself	Support	No	4/20/2021 11:48 AM
Dutzy, Sherry	sherry.dutzy@leg.state.nh.us	603.557.5599	An Elected Official	Myself	Support	No	4/20/2021 10:43 AM

Testimony



Senate Judiciary Committee, April 20, 2021

HB123, granting immunity from prosecution for prostitution for reporting sexual assault

Testimony of Pamela Keilig
Public Policy Specialist, NH Coalition Against Domestic and Sexual Violence

Good afternoon Madam Chair and Members of the Committee. My name is Pamela Keilig, and I am the Public Policy Specialist at the New Hampshire Coalition Against Domestic and Sexual Violence. The Coalition is an umbrella organization for 12 community-based crisis centers who each year provide free and confidential services to nearly 15,000 survivors of sexual and domestic violence. I am here in support of HB123, which would grant immunity from prosecution for prostitution for reporting a sexual assault. Thank you for the opportunity to share this testimony.

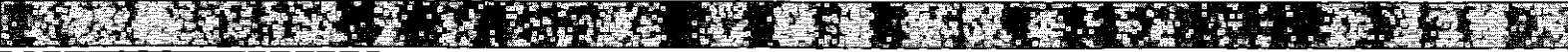
My testimony today will focus on two key points:

- 1) A victim should never be obligated to cooperate with law enforcement in order report being sexually assaulted; and
- 2) The language of this bill ensures New Hampshire's compliance with Federal Victims' Services Laws

The Coalition is grateful to have worked with the bill's sponsor and the House Criminal Justice and Public Safety committee on an amendment and we support this legislation as amended by the House.

Victims of sexual assault should be able to freely and safely report the crimes committed against them without fear of repercussions. We fundamentally believe that the fear of being arrested should never prohibit a victim from reporting that they have been sexually assaulted, and this protection should apply to individuals who engage in prostitution. Every person reacts to sexual violence in their own way – they may experience shame, fear, numbness, shock, and feelings of isolation. These unique responses to sexual violence can make it challenging to come forward, and sex workers are particularly vulnerable.

Sexual assault is one of the most underreported crimes and this bill will help address some of the barriers that victims might face when deciding to come forward. It is essential that we continue to remove the obstacles that prohibit victims from reporting, and ensure that they are able to receive the medical, criminal legal, and other services that they are entitled to in our state. A victim should never be obligated to cooperate with law enforcement in order to receive immunity, and this legislation maintains this important principle.



Additionally, through the passage of this bill, New Hampshire will be aligned with federal policy and ensure compliance with the Violence Against Women's Act (VAWA). VAWA is a federal statute that grants rights and protections to victims of gender-based violence and allocates funding to professionals who respond to victims, such as law enforcement, prosecutors, crisis centers, housing providers, campuses, legal assistance providers and others. Since it was first authorized, it has been renewed several times over the last three decades.

In 2005, VAWA was reauthorized with several landmark changes specifically affecting the response of law enforcement agencies and health care facilities to victims of sexual assault. This act, often referred to as "VAWA 2005," specifies that states and territories may not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursed for charges incurred on account of such an exam, or both." In other words, VAWA 2005 was designed to ensure that victims of sexual assault have access to medical care and forensic evidence collection with no out of pocket costs to the victim regardless of whether they report the crime to police or otherwise cooperate with the criminal justice system.

The clear goal of VAWA was to make every effort to ensure that any person who is sexually assaulted is able to get critical medical care and screening to help the victim become physically and mentally healthy after the assault. As noted, victims face countless possible barriers when deciding whether to access health care – concern of being blamed, fear of retribution by the offender, concerns regarding how the medical provider or law enforcement will treat them – and VAWA aims to remove as many of those barriers as possible.

As of 2009, all states and territories must certify that they are in compliance with these requirements in order to remain eligible for the funding mentioned above. States and communities put an extraordinary amount of work into designing protocols for the initial response to a sexual assault disclosure, as well as addressing questions regarding payment for the medical forensic examination, mandatory reporting to law enforcement, storage and transportation of evidence, case tracking and retrieval, processing of evidence, and the potential for evidence-based prosecution, which does not require the victim's cooperation.

In conclusion, we believe that no rape victim who comes forward for to report an assault or to receive medical care should be arrested as a consequence and making that care contingent on their involvement in the criminal legal system is not acceptable. It is imperative that any victim of sexual assault have access to the services and treatment, regardless of their circumstances. This bill will ensure that victims, including sex workers, are able to access the care and treatment they are entitled to, and to seek justice should they choose. It also ensures New Hampshire remains compliant with federal law and adheres to the best practices when responding to sexual assault in our state.

Thank you, and I'd be happy to answer any questions.

New Hampshire Coalition Against Domestic & Sexual Violence • PO Box 353 • Concord, NH 03302 • 603.224.8893

Jennifer Horgan

From: Amanda Toll <electamandanh@gmail.com>
Sent: Tuesday, April 20, 2021 11:10 AM
To: Sharon Carson; William Gannon; Harold French; Becky Whitley; Jay Kahn; Jennifer Horgan; Nicole Klein
Subject: HB123

Honorable Members of the Senate Judiciary Committee,

My name is Amanda Elizabeth Toll. I represent Cheshire 16, which encompasses the city of Keene-at-large. I am submitting this written testimony in support of HB123, which will grant immunity from prosecution for prostitution when reporting a sexual assault. I ran and got elected on a feminist platform that included reproductive justice and domestic/sexual violence prevention. This bill certainly relates to those issues as it will protect victims when they seek the medical assistance and emergency services that can be a lifeline for many survivors. Treatment for sexual violence should not be dependent on whether or not the survivor assists law enforcement. Sex workers, especially those who are female and/or members of the GLBTQ+ community, are especially vulnerable as they seek critical post-abuse services, and fear they themselves will be prosecuted. We need to be advancing public policy that secures bodily autonomy for all, including our most vulnerable. HB123 does this and I urge you to support it.

Respectfully,

Amanda Elizabeth Toll

NH State Representative

Jennifer Horgan

From: Trisha newalu <trishanewalu@gmail.com>
Sent: Tuesday, April 20, 2021 1:11 PM
To: Jennifer Horgan
Subject: HB 123 Support

My name is Trisha Newalu. I am in support of

Granting immunity from prosecution for prostitution for reporting a sexual assault.

I host a weekly peer support group for those engaged in Erotic labor in New England.

Week after week I have heard victims share their lived experience of sexual assault during our meetings. Assault happens. Violent sexual assault happens to our community It happens here.

One of our community members shared that she was arrested after she was violently raped and robbed.

Many in our community have been assaulted while working and have not come forward to report the crimes against them for fear of arrest.

Due to the stigma, shame and criminalization surrounding Sex Work it is difficult for our community members to Trust law enforcement.

Immunity from arrest could ensure that violent criminals are prosecuted instead of someone who is victimized while trying to earn a living.

Regardless of your personal opinion on prostitution The citizens of New Hampshire deserve justice, without prosecution when reporting a sexual assault.

Thank you for your time today

Senate Remote Testify

Judiciary Committee Testify List for Bill HB200 on 2021-04-20

Support: 43 Oppose: 1 Neutral: 0 Total to Testify: 0

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Fenner-Lukaitis, Elizabeth	glukaitis@mcttelecom.com	Not Given	A Member of the Public	Myself	Support	No	4/17/2021 7:35 AM
Casino, Joanne	joannecasino@comcast.net	603.746.3491	A Member of the Public	Myself	Support	No	4/17/2021 9:02 AM
McNamee, Brigid	brigidmcnamee@yahoo.com	603.223.0139	A Member of the Public	Myself	Support	No	4/19/2021 6:15 AM
Bates, David	dcbates70@gmail.com	603.456.2578	A Member of the Public	Myself	Support	No	4/16/2021 6:39 PM
Larson, Ruth	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/18/2021 9:51 PM
Perencevich, Ruth	rperence@comcast.net	603 225-7641	A Member of the Public	Myself	Support	No	4/18/2021 10:20 PM
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Support	No	4/19/2021 7:26 AM
Johnson, Sara	nhchicagocubfan@gmail.com	603-748-5779	A Member of the Public	Myself	Support	No	4/17/2021 9:41 AM
Lucas, Janet	janluca1953@gmail.com	16037267614	A Member of the Public	Myself	Support	No	4/19/2021 8:23 AM
Petrucelli, Charles	chasmaxpet@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:26 AM
Torpey, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:37 AM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Support	No	4/18/2021 8:42 PM
Reed, Barbara D.	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:56 AM
Lieberman, Sheryl	saml54@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:06 AM
Wild, Gail	gailwild@gmail.com	603.863.3121	A Member of the Public	Myself	Support	No	4/19/2021 9:44 AM
Wiggins, Frank	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:46 AM
Feole, Danielle	feole.danielle@gmail.com	978.778.6269	A Member of the Public	Myself	Support	No	4/19/2021 10:01 AM
Hackmann, Kent	hackmann@uidaho.edu	16039343225	A Member of the Public	Myself	Support	No	4/19/2021 10:51 AM
Hinebauch, Mel	melhinebauch@gmail.com	603.224.4866	A Member of the Public	Myself	Support	No	4/19/2021 12:13 PM
Devore, Gary	torin_asheron@yahoo.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 12:23 PM
Straiton, Marie	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 1:42 PM
Rettew, Annie	abrettw@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:11 PM
Koch, Helmut	helmut.koch.2001@gmail.com	603.491.3306	A Member of the Public	Myself	Support	No	4/19/2021 5:10 PM
Vincent, Laura	lvlauravincen5@gmail.com	603.783.4849	A Member of the Public	Myself	Support	No	4/19/2021 5:16 PM
Gordon, Laurie	Lmgord23@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 5:40 PM
Koch, Laurie	kochlj@aol.com	603.491.2000	A Member of the Public	Myself	Support	No	4/19/2021 5:47 PM
Crook, Mary	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 5:55 PM

Laker-Phelps, Gail	lpsart@tds.net	603.798.5394	A Member of the Public	Myself	Support	No	4/19/2021 6:16 PM
Rayton, Linden	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:01 PM
Defuria, Claudia	gregs999@aol.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:12 PM
Gordon, Margaret	Megordon98@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:17 PM
Davis, Gregory	glospreys@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:39 PM
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Support	No	4/19/2021 7:41 PM
Falk, Cheri	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:41 PM
Schapira, Carol	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:01 PM
Anastasia, Patricia	patti@pattianastasia.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 11:26 PM
Spencer, Louise	lpskentstreet@gmail.com	603.491.1795	A Member of the Public	Myself	Support	No	4/19/2021 10:11 PM
King, Walter	genedocwk@comcast.net	603.978.9775	A Member of the Public	Myself	Support	No	4/19/2021 10:37 PM
Billingham, Carla	billingham2@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:39 AM
Sinclair-Pappas, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 5:38 AM
Covert, Susan	scovert@comcast.net	603.746.4486	A Member of the Public	Myself	Support	No	4/20/2021 9:46 AM
Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 6:02 AM
Istel, Claudia	claudia@sover.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 10:56 AM
Sandersoon, Paul	paul.g.sanderson@wildlife.nh.gov	1-603-271-11	State Agency Staff	NH Fish and Game	Oppose	No	4/20/2021 10:00 AM

Senate Remote Testify

Judiciary Committee Testify List for Bill HB546 on 2021-04-20

Support: 77 Oppose: 26 Neutral: 0 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Bouldin, Amanda	amanda.bouldin@leg.state.nh.us	603.494.8689	An Elected Official	Hillsborough District 12	Support	Yes	4/20/2021 12:09 AM
Hannon, Joe	Joehannon4nh@gmail.com	603.418.5531	A Member of the Public	Myself	Support	Yes	4/20/2021 1:22 PM
Goldstein, David	dgoldstein@franklinnh.org	16039989782	A Member of the Public	Myself	Oppose	No	4/20/2021 1:25 PM
Russo, Steven	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 1:44 PM
McFadden, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 1:51 PM
Chase, Mark	mchasecpd@metrocast.net	603.253.9756	A Member of the Public	Myself	Oppose	No	4/20/2021 2:09 PM
MAILLE, CHRISTINE	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 7:38 PM
Walters, Gregory	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/21/2021 12:59 PM
Hamblet, Joan	joan.hamblet@leg.state.nh.us	603.205.4925	An Elected Official	Myself	Support	No	4/19/2021 9:50 PM
Spencer, Louise	lpskentstreet@gmail.com	603.491.1795	A Member of the Public	Myself	Support	No	4/19/2021 10:11 PM
King, Walter	genedocwk@comcast.net	603.978.9775	A Member of the Public	Myself	Support	No	4/19/2021 10:36 PM
Billingham, Carla	billingham2@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 12:38 AM
Sinclair-Pappas, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 5:37 AM
Rasmussen, Elissa	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:37 AM
Bates, Marion	the.bates@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:41 AM
McPeck, Gail	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 7:58 AM
Murray, Megan	megan.murray@leg.state.nh.us	Not Given	An Elected Official	Hillsborough District 22	Support	No	4/20/2021 8:00 AM
Hennessey, Martha	Martha.hennessey@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 9:44 AM
Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 6:01 AM
Covert, Susan	scovert@comcast.net	603.746.4486	A Member of the Public	Myself	Support	No	4/20/2021 9:46 AM
Lewandowski, Jean	jlewando@hotmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 10:17 AM
Bryfonski, John	jbryfonski@bedfordnh.org	603.792.1330	A Member of the Public	NH ASSOCIATION CHIEFS OF POLICE	Oppose	No	4/20/2021 11:20 AM
Sargent, Elizabeth	esargent@sheehan.com	603-568-0213	A Lobbyist	NH Association of Chiefs of Police	Oppose	No	4/20/2021 11:28 AM
Hackett, Doug	doug.hackett@cornishnh.net	603.359.3943	A Member of the Public	Myself	Oppose	No	4/20/2021 11:35 AM
Parsons, John	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 11:47 AM

Levesque, Brian	blevesque@merrimacknh.gov	603.860.4478	A Member of the Public	Myself	Oppose	No	4/20/2021 11:49 AM
Laurent, Tara	tlaurant@greenlandpd.us	603.431.4624	A Member of the Public	Greenland Police Department	Oppose	No	4/20/2021 11:49 AM
Pidgeon, Dawna	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 6:24 AM
Dutzy, Sherry	sherry.dutzy@leg.state.nh.us	603.557.5599	An Elected Official	Myself	Support	No	4/20/2021 10:43 AM
Istel, Claudia	claudia@sover.net	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 10:57 AM
Levesque, Cassandra	cassandra.levesque@leg.state.nh.us	Not Given	An Elected Official	Myself	Support	No	4/20/2021 11:01 AM
Moccia, Lianne	lianne.moccia@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/20/2021 11:02 AM
Noyes, David	pdchief@wvpublicsafety.com	603.236.4732	A Member of the Public	Myself	Oppose	No	4/20/2021 11:53 AM
Dolan, Joel	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 11:54 AM
Croft, David	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 11:56 AM
Lindbom, Dan	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 11:59 AM
Lemoi, Claude	Not Given	603-523-2224	A Member of the Public	Myself	Support	No	4/20/2021 8:28 AM
Koburger, Penny	Pennykob@gmail.com	603.667.0951	A Member of the Public	Myself	Support	No	4/20/2021 9:19 AM
Ford, Debra	dford@mvrds.org	603.632.5563	A Member of the Public	Myself	Support	No	4/20/2021 9:58 AM
Connelly, Christopher	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 12:15 PM
Reynolds, Charles	reynolds.charles@comcast.net	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 12:47 PM
Mahoney, Joseph	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 12:53 PM
Bean Burpee, Anthony	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 1:06 PM
Stillman, Richard	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 2:28 PM
Pelton, Charles	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 2:37 PM
LAPOINTE, VICTORIA	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 7:14 PM
Fisher, Gary	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 1:15 PM
Fisher, Brenda	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/20/2021 1:16 PM
Sprankle, Jeff	jsprankle@merrimacknh.gov	603.420.1871	A Member of the Public	Myself	Oppose	No	4/20/2021 1:20 PM
Watters, Senator David	david.watters@leg.state.nh.us	603-271-2104	An Elected Official	Myself (SD 4)	Support	No	4/15/2021 3:10 PM
Rosenwald, Cindy	cindy.rosenwald@leg.state.nh.us	603.566.0586	An Elected Official	SD 13	Support	No	4/16/2021 3:54 PM
Weston, Joyce	jweston14@roadrunner.com	Not Given	An Elected Official	Myself	Support	No	4/17/2021 7:20 AM
Casino, Joanne	joannecasino@comcast.net	603.746.3491	A Member of the Public	Myself	Support	No	4/17/2021 9:02 AM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Support	No	4/18/2021 8:42 PM
Schmidt, Jan	tesha4@gmail.com	603.880.6060	An Elected Official	Myself	Support	No	4/17/2021 2:17 PM
Grassie, Chuck	chuck.grassie@leg.state.nh.us	16039787417	An Elected Official	Strafford 11	Support	No	4/18/2021 11:10 PM
McNamee, Brigid	brigidmcnamee@yahoo.com	603.223.0139	A Member of the Public	Myself	Support	No	4/19/2021 6:16 AM
Bouchard, Donald	donaldbouchard@gmail.com	603.622.0388	An Elected Official	Myself	Support	No	4/19/2021 12:45 PM
Osborne, Stephanie	Not Given	(603) 238-31	A Member of the Public	Myself	Support	No	4/17/2021 8:51 AM
Larson, Ruth	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/18/2021 9:55 PM

Perencevich, Ruth	rperence@comcast.net	603.225.7641	A Member of the Public	Myself	Support	No	4/18/2021 10:19 PM
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Support	No	4/19/2021 7:25 AM
Almy, Susan	susan.almy@comcast.net	603.448.4769	An Elected Official	Myself	Support	No	4/17/2021 5:46 PM
Hunnewell, Richard	hunnewell.richard@gmail.com	603.536.4015	A Member of the Public	Myself	Support	No	4/18/2021 8:31 PM
Hunnewell, Anne	ahunne@roadrunner.com	603.536.4015	A Member of the Public	Myself	Support	No	4/18/2021 8:31 PM
Lucas, Janet	janluca1953@gmail.com	16037267614	A Member of the Public	Myself	Support	No	4/19/2021 8:22 AM
Petrucelli, Maxine	maxinepet@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:24 AM
Petrucelli, Charles	chasmaxpet@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:25 AM
Torpey, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:36 AM
Reagan, Senator John	Not Given	Not Given	An Elected Official	Senate District 17	Support	No	4/19/2021 8:42 AM
Reed, Barbara D.	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:55 AM
Lieberman, Sheryl	saml54@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:05 AM
Bixby, Peter	peter.bixby@leg.state.nh.us	16037495659	An Elected Official	Myself	Support	No	4/19/2021 8:58 AM
Goggans, Ron	rongoggans@gmail.com	614.378.1995	An Elected Official	Myself	Support	No	4/19/2021 9:24 AM
Wild, Gail	gailwild@gmail.com	603.863.3121	A Member of the Public	Myself	Support	No	4/19/2021 9:43 AM
Wiggins, Frank	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:44 AM
Feole, Danielle	feole.danielle@gmail.com	978.778.6269	A Member of the Public	Myself	Support	No	4/19/2021 10:00 AM
Hackmann, Kent	hackmann@uidaho.edu	16039343225	A Member of the Public	Myself	Support	No	4/19/2021 10:50 AM
Hinebauch, Mel	melhinebauch@gmail.com	603.224.4866	A Member of the Public	Myself	Support	No	4/19/2021 12:12 PM
Jones, Andrew	arj11718@yahoo.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 12:23 PM
Straiton, Marie	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 1:41 PM
Ballentine, John M	mikeb@btine.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 2:28 PM
Schapiro, Joe	joe.schapiro@leg.state.nh.us	603.852.5039	An Elected Official	Cheshire 16, Keene	Support	No	4/19/2021 2:35 PM
Rettew, Annie	abrettew@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:10 PM
Rich, Cecilia	cecilia.rich@leg.state.nh.us	603.380.8679	An Elected Official	Myself	Support	No	4/19/2021 4:55 PM
Koch, Helmut	helmut.koch.2001@gmail.com	603.491.3306	A Member of the Public	Myself	Support	No	4/19/2021 5:09 PM
Vincent, Laura	lvlauravincen5@gmail.com	603.783.4849	A Member of the Public	Myself	Support	No	4/19/2021 5:15 PM
Fellows, Sallie	Not Given	Not Given	An Elected Official	Myself	Support	No	4/19/2021 6:08 PM
Gordon, Laurie	Lmgord23@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 5:39 PM
Koch, Laurie	kochlj@aol.com	603.491.2000	A Member of the Public	Myself	Support	No	4/19/2021 5:44 PM
Crook, Mary	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 5:54 PM
Taylor, Sue	sueetaylor158@gmail.com	603.675.6566	A Member of the Public	Myself	Support	No	4/19/2021 6:13 PM
Laker-Phelps, Gail	lpsart@tds.net	603.798.5394	A Member of the Public	Myself	Support	No	4/19/2021 6:17 PM
Rayton, Linden	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:01 PM
Defuria, Claudia	gregs999@aol.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:12 PM
Gordon, Margaret	Megordon98@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:16 PM
Davis, Gregory	glospreys@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:39 PM

Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Support	No	4/19/2021 7:40 PM
Falk, Cheri	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 7:41 PM
Madison, Andrew	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 8:34 PM
Schapira, Carol	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:00 PM
Dontonville, Roger	rdontonville@gmail.com	603.632.7719	An Elected Official	Myself	Support	No	4/19/2021 9:13 PM
st.martin, tom (from NH)	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/19/2021 9:28 PM

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB123

Hearing date: _____

Executive Session date: _____

Motion of: OTP Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Carson

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, May 5, 2021

THE COMMITTEE ON Judiciary

to which was referred **HB 123-FN**

AN ACT

granting immunity from prosecution for
prostitution for reporting a sexual assault.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Sharon Carson
For the Committee

This bill provides immunity from prosecution for prostitution for a person reporting to law enforcement that such person or another person is the victim of a sexual assault. The implementation of this bill will help to ensure that the fear of being arrested will not prevent a victim from reporting that they have been sexually assaulted, and importantly, puts NH in line with federal policy and the Violence Against Women Act. Therefore, the Committee recommends the bill Ought to Pass.

Jennifer Horgan 271-7875

FOR THE CONSENT CALENDAR

JUDICIARY

HB 123-FN, granting immunity from prosecution for prostitution for reporting a sexual assault.
Ought to Pass, Vote 5-0.

Senator Sharon Carson for the committee.

This bill provides immunity from prosecution for prostitution for a person reporting to law enforcement that such person or another person is the victim of a sexual assault. The implementation of this bill will help to ensure that the fear of being arrested will not prevent a victim from reporting that they have been sexually assaulted, and importantly, puts NH in line with federal policy and the Violence Against Women Act. Therefore, the Committee recommends the bill Ought to Pass.

General Court of New Hampshire - Bill Status System

Docket of HB123

Docket Abbreviations

Bill Title: granting immunity from prosecution for prostitution for reporting a sexual assault.**Official Docket of HB123.:**

Date	Body	Description
1/4/2021	H	Introduced 01/06/2021 and referred to Criminal Justice and Public Safety HJ 2 P. 36
3/10/2021	H	Public Hearing: 03/10/2021 02:30 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/92387218591 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/31/2021	H	Committee Report: Ought to Pass with Amendment #2021-0760h (Vote 17-4; RC) HC 18 P. 34
4/7/2021	H	Amendment #2021-0760h : AA VV 04/07/2021 HJ 5 P. 139
4/7/2021	H	Ought to Pass with Amendment 2021-0760h: MA DV 354-16 04/07/2021 HJ 5 P. 139
4/13/2021	S	Introduced 04/08/2021 and Referred to Judiciary; SJ 12
4/15/2021	S	Remote Hearing : 04/20/2021, 01:00 pm; Links to join the hearing can be found in the Senate Calendar; SC 20
5/5/2021	S	Committee Report: Ought to Pass, 05/13/2021; Vote 5-0; CC; SC 23
5/13/2021	S	Ought to Pass : MA, VV; OT3rdg; 05/13/2021; SJ 15
6/11/2021	S	Enrolled Adopted, VV, (In recess 06/10/2021); SJ 19
6/11/2021	H	Enrolled (in recess of) 06/10/2021 HJ 10 P. 21
6/21/2021	H	Signed by Governor Sununu 06/18/2021; Chapter 78; Eff: 01/01/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB123

Senate Committee: Jud

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Jennifer Horgen
Committee Aide

8/12/21
Date

Senate Clerk's Office AK