

Bill as Introduced

HB 286 - AS INTRODUCED

2021 SESSION

21-0449
06/11

HOUSE BILL **286**

AN ACT establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire,

SPONSORS: Rep. Klein-Knight, Hills. 11; Rep. Moran, Hills. 34; Rep. Massimilla, Graf. 1; Rep. Griffith, Hills. 18; Rep. Labranche, Hills. 22; Rep. Oxaal, Straf. 15; Rep. Bouchard, Hills. 11; Rep. Stevens, Hills. 34

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire,

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

1 1 Committee Established. There is established a committee to study the response of law
2 enforcement and the criminal justice system to homelessness in New Hampshire.

3 2 Membership and Compensation.

4 I. The members of the committee shall be as follows:

5 (a) Three members of the house of representatives, appointed by the speaker of the
6 house of representatives.

7 (b) One member of the senate, appointed by the president of the senate.

8 II. Members of the committee shall receive mileage at the legislative rate when attending to
9 the duties of the committee.

10 3 Duties. The committee shall study how law enforcement and the criminal justice system
11 respond to homelessness in New Hampshire..

12 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
13 among the members. The first meeting of the committee shall be called by the first-named house
14 member. The first meeting of the committee shall be held within 45 days of the effective date of this
15 section. Three members of the committee shall constitute a quorum.

16 5 Report. The committee shall report its findings and any recommendations for proposed
17 legislation to the speaker of the house of representatives, the president of the senate, the house
18 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

19 6 Effective Date. This act shall take effect upon its passage.

CHAPTER 39
HB 286 - FINAL VERSION

2021 SESSION

21-0449
06/11

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CHAPTER 39
HB 286 - FINAL VERSION

21-0449
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17 legislation to the speaker of the house of representatives, the president of the senate, the house
18 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

39:6 Effective Date. This act shall take effect upon its passage.

Approved: May 17, 2021
Effective Date: May 17, 2021

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 8, 2021

HEARINGS

Thursday	04/15/2021	
(Day)	(Date)	
Judiciary	REMOTE	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. HB 471	relative to police disciplinary hearings.	
1:15 p.m.	Hearing on proposed Amendment #1118s, relative to police disciplinary hearings and authorizing the department of justice to maintain an exculpatory evidence schedule, to HB 471, relative to police disciplinary hearings.	
1:30 p.m. HB 485	requiring law enforcement officers to inform a person of their right to refuse a consensual search.	
1:45 p.m. HB 180	increasing the penalty for buyers under the law regarding trafficking in persons.	
2:00 p.m. HB 286	establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire,	

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/99568630852>
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: +16465588656,,99568630852# or +13017158592,,99568630852#
4. Webinar ID: 995 6863 0852
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-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 471

Rep. Roy
Rep. Spillane
Rep. Moran

Rep. M. King
Rep. Bixby
Rep. Frost

Rep. Stevens
Rep. Welch
Sen. Reagan

Rep. Potucek
Rep. Bordenet

HB 485

Rep. Roy
Rep. Klein-Knight
Rep. Moran

Rep. Abramson
Rep. Potucek
Rep. B. King

Rep. Andrew Bouldin
Rep. Avellani

Rep. Fellows
Rep. Binford

HB 180

Rep. Massimilla
Rep. Mangipudi

Rep. Katsakiores
Rep. Egan

Rep. Ebel

Rep. Klee

HB 286

Rep. Klein-Knight
Rep. Labranche

Rep. Moran
Rep. Oxaal

Rep. Massimilla
Rep. Bouchard

Rep. Griffith
Rep. Stevens

Jennifer Horgan 271-7875

Sharon M Carson
Chairman

Senate Judiciary Committee

Jennifer Horgan 271-7875

HB 286, establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire,

Hearing Date: April 15, 2021

Time Opened: 2:59 p.m.

Time Closed: 3:07 p.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill establishes a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire

Sponsors:

Rep. Klein-Knight

Rep. Moran

Rep. Massimilla

Rep. Griffith

Rep. Labranche

Rep. Oxaal

Rep. Bouchard

Rep. Stevens

Who supports the bill: 55 people signed up in support of the bill. Full sign in sheet available upon request.

Who opposes the bill: 0 people signed up in opposition to the bill. Full sign in sheet available upon request.

Summary of testimony presented in support:

Representative Klein Knight

- A couple months ago there was a homeless encampment surrounding some state grounds for several days in Manchester.
- Covid has exacerbated the homelessness problem in the state.
- A decision was made to remove these displaced individuals from the grounds, but there was no plan in place to house them.
- Law enforcement arrived and had a plan to protect the property, but no plan for the people.
- Witnessed State Police come to facilitate the building of a fence around the property.
- People were told 'if the fence reaches your belongings, we are throwing them away.'

- There was no clear plan for reuniting these people with any of their belongings including things like medications, social security cards, and all their worldly possessions.
- Shared her experience of trying to help these individuals move things, while State Police stood around and laughed.
- We need a system to reunite people with things like their medication or their social security cards.
- This will facilitate a discussion about developing state protocols for when we need to protect state property, but also need to respect the dignity and humanity of those who have fallen on hard circumstances.
- NH is wasting taxpayer money housing homeless people via the incarceration process.
- Senator Carson asked if advanced warning was given to the individuals staying on the property.
 - The individuals were told they were going to have to leave. It seemed that times kept changing and that they were looking for a way to clear it out when the least amount of people were there, so they wouldn't have witnesses. How people were treated by police was very distributing.

Summary of testimony presented in opposition:

None

jch

Date Hearing Report completed: April 16, 2021

Speakers

Senate Remote Testify

Judiciary Committee Testify List for Bill HB286 on 2021-04-15

Support: 55 Oppose: 0 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>
Lucas, Janet	janluca1953@gmail.com	16037267614	A Member of the Public	Myself	Support	Yes	4/12/2021 8:01 AM
Klein Knight, Nicole	Nicole.kleinknight@leg.state.nh.us	603.380.8074	An Elected Official	Manchester Ward 4	Support	Yes	4/14/2021 7:59 PM
Weber, Jill	jill@frajilfarms.com	603.978.1263	A Member of the Public	Myself	Support	No	4/14/2021 8:51 PM
Hayes, Randy	rcompostr@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 9:11 PM
Hamer, Heidi	Not Given	Not Given	An Elected Official	Myself	Support	No	4/15/2021 6:53 AM
Anastasia, Patricia	patti@pattianastasia.com	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 4:32 PM
Ward, Gerald W.R.	Ward4staterep@gmail.com	Not Given	An Elected Official	Myself	Support	No	4/14/2021 10:12 PM
Hamblet, Joan	joan.hamblet@leg.state.nh.us	603.205.4925	A Member of the Public	Myself	Support	No	4/14/2021 10:16 PM
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/15/2021 6:25 AM
Dutzy, Sherry	sherry.dutzy@leg.state.nh.us	603.557.5599	An Elected Official	Myself	Support	No	4/15/2021 9:12 AM
Vincent, Laura	lvlauravincen5@gmail.com	603.783.4849	A Member of the Public	Myself	Support	No	4/14/2021 2:23 PM
Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/15/2021 4:50 AM
VAIL, SUZANNE	Suzanne.vail@leg.state.nh.us	603.234.0704	An Elected Official	Hillsborough County 30	Support	No	4/15/2021 9:56 AM
Chase, Wendy	wendy.chase@leg.state.nh.us	603.319.7259	An Elected Official	Myself	Support	No	4/14/2021 10:28 PM
perez, maria	mariaeli63@gmail.com	603.801.7867	An Elected Official	Myself	Support	No	4/15/2021 10:18 AM
Aranzabal, Luis	Luisaranzabal40@gmail.com	603.461.1834	A Member of the Public	Myself	Support	No	4/15/2021 10:19 AM
Watson, Margaret	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/15/2021 10:38 AM
Green, Debra	laffalot37@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 8:37 PM
Mayne, Kenneth	kbmayne@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 8:37 PM
DiLorenzo, Charlotte	cbdilorenzo@comcast.net	16039884405	An Elected Official	Myself	Support	No	4/14/2021 9:48 PM
Cloutier, John	jocloutier@comcast.net	16034773690	An Elected Official	Myself	Support	No	4/15/2021 7:17 AM
Ari, Leslie	leslie.ari@gmail.com	603.496.4202	A Member of the Public	Myself	Support	No	4/15/2021 9:49 AM
Lewandowski, Jean	jlewando@hotmail.com	Not Given	A Member of the Public	Myself	Support	No	4/15/2021 11:36 AM
Prince, Sonia	ssprince1@comcast.net	603.578.0786	A Member of the Public	Myself	Support	No	4/15/2021 4:49 PM
Pedersen, Michael	PedersenUSA@aim.com	Not Given	An Elected Official	Hillsborough 32	Support	No	4/15/2021 11:03 PM
Fenner-Lukaitis, Elizabeth	glukaitis@mcttelecom.com	Not Given	A Member of the Public	Myself	Support	No	4/11/2021 3:05 PM
Hansen, Sarah	sarahsarahhansen@gmail.com	503.803.4964	A Member of the Public	Myself	Support	No	4/12/2021 4:22 PM

Torpey, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 8:30 PM
Reed, Barbara D.	BDRreed74@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 9:16 PM
Garland, Ann	annhgarland@gmail.com	603.678.8143	A Member of the Public	Myself	Support	No	4/12/2021 9:45 PM
Istel, Claudia	claudia@sover.net	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 11:46 PM
Jachim, Nancy	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/13/2021 7:03 AM
Brookmeyer, Janet	brookmeyermusic@gmail.com	603.667.1356	A Member of the Public	Myself	Support	No	4/13/2021 7:15 AM
Dolkart, Vivian	viviandolkart@comcast.net	603.865.5117	A Member of the Public	Myself	Support	No	4/13/2021 7:37 AM
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Support	No	4/13/2021 7:57 AM
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Support	No	4/13/2021 8:03 AM
Douville, Linda	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/13/2021 8:10 AM
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Support	No	4/13/2021 8:30 AM
Ingold, Bret	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/13/2021 8:35 AM
Laker-Phelps, Gail	lpsart@tds.net	603.798.5394	A Member of the Public	Myself	Support	No	4/13/2021 10:30 AM
Berry, Jake	jberry@new-futures.org	603.493.8781	A Lobbyist	New Futures	Support	No	4/13/2021 2:58 PM
Oxenham, Evan	evan.oxenham@gmail.com	603.727.9368	A Member of the Public	Myself	Support	No	4/13/2021 3:47 PM
Irwin, Virginia	bidly.irwin@gmail.com	603.863.3582	A Member of the Public	Myself	Support	No	4/13/2021 4:01 PM
Johnson, Sara	nhchicagocubfan@gmail.com	603-748-5779	A Member of the Public	Myself	Support	No	4/13/2021 4:21 PM
Oxenham, Lee	leeoxenham@comcast.net	603.727.9368	An Elected Official	Sullivan Co., District 1	Support	No	4/13/2021 4:46 PM
Cranage, Amy	cranhan@comcast.net	603.252.8531	A Member of the Public	Myself	Support	No	4/13/2021 4:53 PM
Lieberman, Sheryl	saml54@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 7:43 AM
Falk, Cheri	Falk.cj@gmail.com	603.801.4651	A Member of the Public	Myself	Support	No	4/13/2021 7:10 PM
Damon, Claudia	cordsdamon@gmail.com	603.226.4561	A Member of the Public	Myself	Support	No	4/13/2021 8:40 PM
Perencevich, Ruth	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/13/2021 8:45 PM
Richman, Susan	susan7richman@gmail.com	603.868.2758	A Member of the Public	Myself	Support	No	4/13/2021 8:56 PM
McArt, Ebba	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 12:36 PM
rettew, ann	abrettew@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 4:20 PM
Sinclair-Pappas, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/14/2021 6:03 PM
Bates, David	dbates3@yahoo.com	603.748.2668	A Member of the Public	Myself	Support	No	4/11/2021 1:42 PM

Testimony

Jennifer Horgan

From: Jean <jlewando@hotmail.com>
Sent: Saturday, May 15, 2021 7:02 PM
To: Jennifer Horgan

I am writing to urge you to support HB485, which requires police to inform people that they have a right to refuse consensual searches and demand a search warrant be issued. Too many times, people have had their private property torn up without any recompense, and without any benefit to law enforcement or public safety, because they have not been informed of this right.

I also urge you to support HB286, which establishes a commission to study the response of law enforcement and the criminal justice system to homelessness in our state. The condition of being unhoused should not be considered a criminal matter in the first place. It is a symptom of multiple factors within our economy, our health care system, and our social safety net. These are matters of policy, funding priorities, and allocation of resources toward health and human services, affordable housing, and ensuring livable wages.

If community-police relationships are to be healthy and beneficial to everyone, there must be trust that the system is open and accountable, and we must stop dumping jobs on law enforcement, when other agencies are better suited to deal with them, when they are properly funded.

Jean Lewandowski
Ward 5, Nashua

Sent from [Mail](#) for Windows 10

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB286

Hearing date: _____

Executive Session date: _____

Motion of: OTP Vote: 4-1

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 type="checkbox"/>	<input checked="" 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: reconsider 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

consent Gannon/Whitley 5-0

Reported out by: Whitley

Notes: _____

Committee Report

FOR THE CONSENT CALENDAR

JUDICIARY

HB 286, establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire,

Ought to Pass, Vote 5-0.

Senator Rebecca Whitley for the committee.

This bill establishes a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire. Given the current homelessness crisis and the lack of state policy regarding the relationship between law enforcement, the criminal justice system, and individuals facing homelessness, this study committee is a timely and important step towards determining best practices moving forward.

General Court of New Hampshire - Bill Status System

Docket of HB286

Docket Abbreviations

Bill Title: establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire,

Official Docket of HB286.:

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Criminal Justice and Public Safety HJ 2 P. 42
2/17/2021	H	Public Hearing: 02/17/2021 10:45 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/98063742762 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/23/2021	H	Committee Report: Ought to Pass (Vote 19-2; CC) HC 18 P. 6
4/7/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 7
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Judiciary; SJ 11
4/8/2021	S	Remote Hearing: 04/15/2021, 02:00 pm; Links to join the hearing can be found in the Senate Calendar; SC 19
4/15/2021	S	Committee Report: Ought to Pass, 04/22/2021; Vote 5-0; CC; SC 20
4/22/2021	S	Ought to Pass: RC 23Y-1N; MA; OT3rdg; 04/22/2021; SJ 12
5/6/2021	S	Enrolled RC 23Y-0N, MA, (In recess of 05/06/2021); SJ 15
5/6/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 102
5/19/2021	H	Signed by Governor Sununu 05/17/2021; Chapter 39; Eff: 05/17/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 286

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 Horgan
Committee Aide

8/12/21
Date

Senate Clerk's Office AK