

REGULAR CALENDAR

October 18, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Judiciary to which was referred HB
1435,**

**AN ACT relative to the right of a victim of domestic
violence to have a support person present when
testifying or being deposed. Having considered the
same, report the same: NOT RECOMMENDED FOR
FUTURE LEGISLATION.**

Rep. Edward Gordon

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Judiciary
Bill Number:	HB 1435
Title:	relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.
Date:	October 18, 2022
Consent Calendar:	REGULAR
Recommendation:	NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT

The purpose of this bill is to allow parties in family court proceedings to have a family support person present. The committee fully supports the intention behind the bill and agrees that victims of domestic violence should be supported. However, there are issues with the bill. As written, the bill provides for either party, not just victims, to be supported. Should we be advocating for support for perpetrators? It also restricts the ability of the judge to control the behavior of the support person in the courtroom. There are currently support services currently available from agencies throughout the state and persons filing domestic violence petitions are referred to those agencies by the court. The Governor has also created a domestic violence task force which has made recommendations.

Vote 15-4.

Rep. Edward Gordon
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

HB 1435, relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed. **NOT RECOMMENDED FOR FUTURE LEGISLATION .**

Rep. Edward Gordon for Judiciary. The purpose of this bill is to allow parties in family court proceedings to have a family support person present. The committee fully supports the intention behind the bill and agrees that victims of domestic violence should be supported. However, there are issues with the bill. As written, the bill provides for either party, not just victims, to be supported. Should we be advocating for support for perpetrators? It also restricts the ability of the judge to control the behavior of the support person in the courtroom. There are currently support services currently available from agencies throughout the state and persons filing domestic violence petitions are referred to those agencies by the court. The Governor has also created a domestic violence task force which has made recommendations. **Vote 15-4.**

Original: House Clerk

Cc: Committee Bill File

CONSENT CALENDAR

February 3, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Judiciary to which was referred HB
1435,**

**AN ACT relative to the right of a victim of domestic
violence to have a support person present when
testifying or being deposed. Having considered the
same, report the same with the recommendation that
the bill be REFERRED FOR INTERIM STUDY.**

Rep. Edward Gordon

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Judiciary
Bill Number:	HB 1435
Title:	relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.
Date:	February 3, 2022
Consent Calendar:	CONSENT
Recommendation:	REFER FOR INTERIM STUDY

STATEMENT OF INTENT

The purpose of this bill is to allow parties in family court proceedings to have a support person. The committee fully supports the intention behind this bill and agrees that victims of domestic violence should be supported. However, there are issues with the bill. The testimony described the need for specialized support, but the bill is general and does not address special circumstances. The bill provides, as written, for either party, not just victims, to be supported. Should we be advocating for support for perpetrators? It also restricts the judge with regard to the courtroom behavior of the support person. There are support services currently available throughout the state and persons filing domestic violence petitions are referred to those agencies by the court. While the committee might be able to work on this bill, it also knows that a Domestic Violence Task Force has been empaneled and is currently developing recommendations. The committee finds that it would be best to wait for their recommendations before taking further action on this bill. Therefore, the committee has recommended Interim Study.

Vote 20-0.

Rep. Edward Gordon
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Judiciary

HB 1435, relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed. **REFER FOR INTERIM STUDY.**

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Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1435

BILL TITLE: relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.

DATE: October 18, 2022

LOB ROOM: 206-208

MOTION:

Interim Study (2nd yr) Not Recommended for Future Legislation

Moved by Rep. Notter

Seconded by Rep. Wuelper

Vote: 15-4

Respectfully submitted,

Rep Kurt Wuelper, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1435

BILL TITLE: relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.

DATE: February 3, 2022

LOB ROOM: 206-208

MOTIONS: REFER FOR INTERIM STUDY

Moved by Rep. Gordon

Seconded by Rep. McLean

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Kurt Wuelper, Clerk



2022 SESSION

Judiciary

Bill #: HB1435 Motion: NOT Recommended AM #: _____ Exec Session Date: 10-18-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Gordon, Edward M. Chairman	✓		
McLean, Mark Vice Chairman	✓		
Sylvia, Michael J.	✓		
Wuelper, Kurt F. Clerk		✓	
Alexander, Joe H. Johnson	✓		
Greene, Bob J.			
Notter, Jeanine M.		✓	
Merner, Troy E.	✓		
Kelley, Diane E.	✓		
Trottier, Douglas R. Ru			
Andrus, Louise	✓		
Smith, Marjorie K.	✓		
Berch, Paul S. Rung		✓	
Horrigan, Timothy O.	✓		
DiLorenzo, Charlotte I.	✓		
Chase, Wendy	✓		
Kenney, Cam E. Chretien	✓		
Langley, Diane M.		✓	
McBeath, Rebecca Susan	✓		
Paige, Mark	✓		
Simpson, Alexis	✓		
	15	4	

OFFICE OF THE HOUSE CLERK



2/8/2022 3:07:34 PM
Roll Call Committee Registers
Report

2022 SESSION

Criminal Justice and Public Safety

Bill #: HB1335 FN Motion: OTPA AM #: 08114 Exec Session Date: 3.2.22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	21		
Roy, Terry Vice Chairman	1		
Welch, David A.	2		
Burt, John A.	3		
Hopper, Gary S. PEARSON	4		
Green, Dennis E.	5		
Wallace, Scott Clerk	6		
Testerman, Dave BOBBY	7		
True, Chris	8		
Pratt, Kevin M.	9		
Marston, Dick	10		
Harriott-Gathright, Linda C.	11		
Pantelakos, Laura C. S. NEWMAN	12		
O'Hearne, Andrew S.	13		
Bordenet, John	14		
Meuse, David	15		
Newman, Ray E.	16		
Bouldin, Amanda C. HEATH	17		
Conley, Casey M.	18		
Bradley, Amy LAFLAMME	19		
Espitia, Manny HAMBLETT	20		



2022 SESSION

Criminal Justice and Public Safety

Bill #: _____ Motion: _____ AM #: _____ Exec Session Date: _____

TOTAL VOTE:



OFFICE OF THE HOUSE CLERK

2/8/2022 3:07:34 PM
Roll Call Committee Registers
Report



2022 SESSION

Criminal Justice and Public Safety

Bill #: HB 1335 EV Motion: OTP AM #: 0811H Exec Session Date: 3.2.22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	21		
Roy, Terry Vice Chairman	1		
Welch, David A.	2		
Burt, John A.	3		
Hopper, Gary S. <u>PEARSON</u>	4		
Green, Dennis E.	5		
Wallace, Scott Clerk	6		
Testerman, Dave <u>BOBRY</u>	7		
True, Chris	8		
Pratt, Kevin M.	9		
Marston, Dick	10		
Harriott-Gathright, Linda C.	11		
Pantelakos, Laura C. <u>S. NEWMAN</u>	12		
O'Hearne, Andrew S.	13		
Bordenet, John	14		
Meuse, David	15		
Newman, Ray E.	16		
Bouldin, Amanda C. <u>HEATH</u>	17		
Conley, Casey M.	18		
Bradley, Amy <u>LAFRAMME</u>	19		
Espitia, Manny <u>HAMBLETT</u>	20		

21 0



2/8/2022 3:07:34 PM
Roll Call Committee Registers
Report

2022 SESSION

Criminal Justice and Public Safety

Bill #: HB1335 Motion: OTPA AM #: 0811H Exec Session Date: 3.2-22

TOTAL VOTE:



HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 1435

BILL TITLE: relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.

DATE: 1/12//2022

LOB ROOM: 206-208

Time Public Hearing Called to Order: 10:30AM

Time Adjourned: 11:17AM

Committee Members: Reps. Gordon, McLean, Wuelper, Sylvia, Alexander Jr., Notter, Merner, Greene, D. Kelley, Andrus, Trottier, M. Smith, Berch, Horrigan, DiLorenzo, Chase, Kenney, Langley, McBeath, Paige and Simpson

Bill Sponsors: Rep Gay Rock. 8; Rep. Stapleton, Sull. 5; Rep. M. Pearson, Rock. 34; Rep. Bernardy, Rock. 16; Rep. Greeson, Graf. 16; Rep. Woods, Merr. 23; Rep. Langley, Hills. 8; Rep. Homola, Hills. 27; Rep. Kofalt, Hills. 4; Rep. Rung, Hills. 21; Sen. Gannon, Dist 23

TESTIMONY

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

***Rep. Gay:**

The original bill simply intends to ensure that victims of Domestic Violence can have a support person with them in court because of the trauma DV creates.

Q Sylvia: With no control over the support person, doesn't that open the door to all kinds of trouble?

Ans: The intent is just to guarantee the support person can be there. If you want to change the wording to clarify that's fine with me.

Q Gordon: Would you empower the support person to do legal stuff, etc. in court?

Ans: No, just for them to be present.

Dr. Rhonda Hodge Supports

I have a lot of abused patients. One of them was a young lady with a young child and during our sessions I had to remove her phone so we could be alone. I had to stay outside while she was being interviewed for her deposition. I waited for around 2 hours and she couldn't do the deposition because she was too afraid. There was no case because of that. If I could have just been there, she would probably been able to complete the deposition and she begged for that. She was refused because my presence might have made them unable to bring the case because she couldn't testify alone. The need for a support person is necessary for these victims to have access to justice and the protection of our laws.

Q Notter: What is Complex PTSD? **Ans:** CPTSD is mostly continual. PTSD tends to be episodic, triggered by certain things. CPTSD is everywhere all the time.

Q Chase: how would you behave/What would you do in the courtroom? **Ans:** I would be supporting the victim only; doing nothing else. **Q** So would you be sitting beside them? **Ans:** Ask Rep Gay.

Q Alexander: Would the presence of the support person sway a jury?

Ans: the real question is would you get testimony or not? If the person does not feel safe, they may not be able to testify at all or may testify inaccurately because of their fears. They may not be able to think clearly from that fear. They could be hysterical and unable to even think.

Rep Homola Support

Yesterday in Children and Family and saw a level of intimidation that made me uncomfortable. One person couldn't get through her testimony until another sat with her. I saw the same thing with a young mother when I was in college. This also applies to abused men.

Q Chase: Why is this limited to Domestic Violence?

Ans: Good point. I'm sure we would be open to broader application.

***Lyn Schollett Dir NHCADSV Opposed**

It is critical that victims of DV have support. We already have required support in court for these victims. Developed between us and the courts.

Protocols are specific and reference victims over 30 times. Protocol section 5-14; 5:25; 7-7; There are already specific protocols to provide for trained advocates for victims. A support person might be called as a witness while the advocate cannot. This is an important protection for victims.

Q Kenney: Can the judge disregard those protocols?

Ans: The judge should not.

Q Notter: When does the victim meet the trained advocate?

Ans: The victim can ask for an advocate at any time even before a court process begins. Often a victim has worked with an advocate for a long-time before court starts.

Q Gordon: The bill allows anyone to be a support person. Is it important to have a trained person?

Ans: Absolutely. The courtroom is a foreign place to most of us and familiarity with the process and procedure is very important.

Q DiLorenzo: Is there any way to save the bill?

Ans: I don't think so. I doubt the way is to allow untrained people in court.

Q Notter: Wouldn't a trusted person give the person the confidence needed to speak?

Ans: Advocates are better prepared to help the person.

Rep Stapleton Sull 5 Support It is Good to hear about the advocates, but t people who have been abused may need a familiar person for support. The importance of a friendly face can't be overestimated. It shouldn't have to be an 'either/or why shouldn't we have both a trained advocate and a friendly support person.

Q Kenney: Are there situations where advocates have been requested and denied?

Ans: I can't speak to that directly.



Rep Kurt Wuelper, Clerk

House Remote Testify

Judiciary Committee Testify List for Bill HB1435 on 2022-01-12

Support: 5 Oppose: 1 Neutral: 0 Total to Testify: 0

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>
Gannon, Senator Bill	Concord, NH william.gannon@leg.state.nh.us	An Elected Official	SD 23	Support	No	No	1/7/2022 4:19 PM
Jasina, Erin	Portsmouth, NH ejasina@nhla.org	A Lobbyist	New Hampshire Legal Assistance	Oppose	No	No	1/11/2022 7:58 PM
WOODS, GARY	BOW, NH gwpops054@gmail.com	An Elected Official	Myself	Support	No	No	1/11/2022 9:35 PM
Post, Lisa CM	Lyndeborough, NH Lisa.Post@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/11/2022 10:15 PM
homola, susan	hollis, NH susan.homola@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/12/2022 9:34 AM
Goldstein, David	Auburn, NH dgoldstein@franklinnh.org	A Member of the Public	Myself	Support	No	No	1/12/2022 11:40 AM

Archived: Wednesday, March 16, 2022 11:00:11 AM
From: Dana Albrecht
Sent: Wednesday, January 12, 2022 11:12:09 AM
To: ~House Judiciary Committee
Cc: Betty Gay
Subject: Hearing on 1435 (2022)
Importance: Normal

My name is Dana Albrecht, a resident of Nashua, NH.

I am listening to the live stream.

<https://www.youtube.com/watch?v=ts78WXngAlo>

I would like to offer written testimony in support of the bill, as amended:

Pursuant to RSA 311:1, "A party in any cause or proceeding may appear, plead, prosecute or defend in his or her proper person, that is, pro se, or may be represented by any citizen of good character. For the purposes of this section, a citizen shall be presumed to be of good character unless demonstrated otherwise."

So, why shouldn't any "citizen of good character" to be merely a silent advocate within the intent of HB 1435 (2022), as amended, for any party in any family law case?

Because, without any formal training, such a person can serve to actually represent them as legal counsel!!!

I would appreciate the committee's thoughts.

Thank you for your consideration.

-Dana Albrecht

Archived: Wednesday, March 16, 2022 11:12:20 AM
From: [Kit Lord](#)
Sent: Monday, January 10, 2022 9:40:43 AM
To: [~House Judiciary Committee](#)
Subject: Vote YES on two bills, vote NO on 4 other bills
Importance: Normal

Dear Judiciary Committee members,

I ask that you vote YES to support these bills:

HB1435 - relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.

HB 1101 - relative to a forfeiture of personal property.

I am a small landlord who fights hard to keep my tenants safe and I keep my properties in good condition
Please vote NO on the following bills:

HB 1107 - establishing a committee to study the rental or lease of housing to a person who has pets.

Page 1-

Lines 11-12: I am against the intention of this bill to protect a tenant's pet more than protecting an landlord's enormous investment in a community;

Lines 13-4: In my experience in repairing my rental units, cats can do just as much damage

Line 21: always beware of insurance policy restrictions only found in the higher level underwriting rules!

Line 24: it's absurd to prohibit a landlord from asking about pets. If I have a deathly allergy I certainly want to ask about risking my life.

Page 2 -

Line 4: this "sufficient" notice may conflict with longer-notice legislation being proposed which should be the same for either party (and not 90 days.)

HB 1133 - prohibiting the termination of a lease during the sale of real property.

It's already illegal, this is unnecessary.

HB 1216 - repealing the housing appeals board.

The Board was established to hear these cases without the delay, please don't destroy a system helping all sides.

HB 1200 - relative to notice of rent increases in residential rental property.

This is unnecessary, I already use that 45 day notice for either party in my leases. We don't need extra laws which dampen creation of housing. The real issue is housing shortage. Stop putting band aid on the housing shortage. Create more incentives to towns and builders to build more apartments.

Sincerely,

Kit Lord, Northwood



Testimony of Lyn Schollett
Executive Director, NH Coalition Against Domestic and Sexual Violence
House Judiciary Committee
January 12, 2022; 10:30am

HB1435, relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed

Good Morning Mister Chair and Members of the Committee. My name is Lyn Schollett, and I am the Executive Director of the NH 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 opposition to HB1435. Thank you for the opportunity to testify today.

While we greatly appreciate the intention of the sponsor to ensure that victims of domestic violence receive the support they need after experiencing abuse, the Coalition has two specific concerns regarding this legislation that we would like to address. First, the domestic violence protocols established by the Judicial Branch already allow a victim of domestic violence to have an advocate present with them during a protective order hearing. Secondly, it is unclear why this amendment would be placed within section three of RSA 173-B, which addresses "Commencement of Proceedings; Hearings" under the domestic violence protective order statute, while the language of the bill itself appears to be addressing all family court proceedings.

Current Domestic Violence Protocols for Protective Order Hearings

The District Court already has well-established and comprehensive protocols in place that consider the needs of victims who are attending protective order hearings. In fact, the word "advocate" is referenced over 30 times throughout the protocols, clearly outlining not only where and how they should be made available to support a victim during court procedures, but also carefully describing an advocate's essential role in informing the victim of any safety considerations and how they can further help them navigate the court process. For the purposes of this testimony, I **want to highlight three specific places where the advocate is mentioned in the protocol:**

1. **Protocol 5-14 &:** When a hearing is conducted, "any advocate assisting the plaintiff shall be allowed to accompany the plaintiff into the courtroom or chambers."
2. **Protocol 5-25:** The court should "make available the phone number of the local crisis center and the opportunity to have a court advocate present during the final hearing," and "furthermore, courts should advise and refer plaintiffs to

local crisis centers (if an advocate is not already present) for safety planning. Victims may assume that obtaining a restraining order will automatically provide greater safety, when, in reality, a victim may be faced with greater danger at the time of obtaining an order.”

3. **Protocol 7-7:** “If the plaintiff is accompanied by an advocate, the advocate should be allowed at counsel table and may be allowed limited participation in the proceedings at the request of the plaintiff.”

These three examples illustrate the clear intention of the courts for domestic violence victims to be allowed to have an advocate present before, during and after the protective order hearings. **Significantly, advocates are able to provide victims with two important benefits that a lay support person would not.** First, all advocates are well trained in the dynamics of domestic violence and court procedures. Second, pursuant to NH RSA 173-C, any communication that a victim has with a trained advocate at a crisis center is confidential. Moreover, the protocols reiterate the critical role that advocates play in ensuring a victim’s safety is the number one consideration throughout this process. The domestic violence protocols were intentionally designed with the safety of the victim in mind, with the understanding that domestic violence cases can be extremely dangerous, and that the lethality of a case often increases exponentially when a victim tries to leave the relationship and file a protective order. It is for these reasons that the Coalition feels that this bill would not be advancing any new rights for victims in the Granite State.

RSA 173-B vs. other family law statutes

Section three of RSA 173-B outlines the law regarding the commencement of proceedings and hearings in domestic violence protective order cases. Although the bill analysis suggests that this bill aims to “establish the right for a petitioner in a domestic violence case to have a support person present without restricting by the presiding judge”, the actual change to the statute references a plaintiff in “family court proceedings”. For these reasons, it is unclear what this legislation truly seeks to address, and we are left uncertain as to whether or not the right statute is even being amended. “Family court proceedings” can be interpreted to mean divorce and parenting cases, and not necessarily protective order cases under RSA 173-B. Regardless, it is not uncommon for victims to receive support from advocates in divorce and parenting cases where domestic violence is present. We certainly agree that having an advocate present greatly benefits a victim of domestic violence as they navigate the court system, protocols and procedures are already established to ensure that victims have the support they need in these cases.

In conclusion, **we strongly urge the committee to vote ITL on HB1435**, based solely on the fact that this bill would not make any significant changes to current law that would advance the protections of victims of domestic violence in New Hampshire. We completely agree with the sponsor that victims should be allowed to have critical support during protective order hearings, but that support is already required under the district court protocols. Thank you, and I’d be happy to answer any questions that the committee may have.

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

Archived: Wednesday, March 16, 2022 11:00:10 AM
From: Rhonda Hodge
Sent: Wednesday, January 12, 2022 12:41:34 PM
To: ~House Judiciary Committee
Cc: Betty Gay
Subject: HB1435
Importance: Normal

Att: Judiciary Committee

Thank you so much for today. I felt very heard which speaks volumes to the level of dedication you have for the position you are in.

I also work very closely with NHCADV and I have become friends with some of the best support people. Amanda Grady Sexton is wonderful, has become my friend and was extremely helpful and invested in the case I spoke about and there actually was an advocate there that day but my patient had just met her and didn't feel safe. She had spoken to her on the phone a few times but it wasn't the same. The fear for her life was real and founded. The evidence we had was extraordinary. It seemed through opposing testimony that there was an either or that was being suggested. That was not my understanding, nor Betty's. NHCADV has a very important part in this and that can not, nor should it be replaced, but that is not related to the bill. They are two separate entities. As well as the concern for allowing court to become a free for all. Any witness that enters the courtroom the concern is the same but they are expected to do the right thing in the courtroom or they are dismissed. This would be no different. The person would be expected to just be present and in most cases that would be exactly what happens. I think that's the issue that often happens, especially in DV cases is the image and bias someone might have about what DV looks like. The victims I work with are doctors, attorneys, med students, unemployed, stay at home moms, all coming from different backgrounds and not one of them would I be concerned they would choose someone who would put the court in harms way.

I also realized I did not answer the representative who asked one of my last questions appropriately about how the jury might view having the support person. I know I had said they may not even get that far and while this is true DV cases and Family Court cases don't typically fall within a jury court. Even a Termination of Parental Rights case does not have a jury present. It would be rare to have that be an issue. I hope this helps resolve that question and answers it a little better.

As far as advocates being readily available I wish this was true. I love all the advocates They have all been wonderful but they aren't superhuman. There have been many cases where I have taken my patients to the courthouse myself. This particular person did have support but asked me to accompany her I am sure other docs don't do this but I never want someone to be in a vulnerable position alone and if there isn't someone available to go then they are in fact alone. There also are not enough advocates and with COVid they, as all of us in the helping field, have been strained. More often we often here "there is nothing else we can do."

Another case, in Ossipee, where a mother was filing a restraining order on behalf of her two children which was started by the Sanbornville police department showed up to a zoom hearing without support. She should have not been doing that. For reporting sexual abuse against her boyfriend on two of her children she was unable to speak well enough to fight for it. The order was placed for the girl but not the boy because alleged abuse of the boy took place in the abusers bedroom and the abuse was the man touching himself and not the child, where as the evidence was him touching the little girl. We put together a motion, since a mother cannot testify legally without counsel for minor children she should not have been allowed to do this, to reconsider and allow her to have a support person with her. It was denied and she and her children had to leave his property and become homeless within ten days time. The abuser admitted abuse through texts but has yet to be arrested for the crime. It's been well over a year. He continued to abuse mother through fb and the town but has since stopped.

These are real stories and I would love to help offer a solution or at least allow my brain to be picked as much as possible to find a better way. With rising technology, apps and tracking devices the ante is up. It

is becoming more dangerous. I got involved for several reasons but foremost is I am one of the largest privately owned psychiatric practices in NH at the moment, was born, raised and primarily educated here and I don't know what to tell people to do anymore when they are in danger. Sometimes leaving, without guaranteed support becomes much more dangerous. I had no idea for years that this was true. I can't tell you how many people I told to go get help and now I'm wondering if I put them in harms way.

I will gladly volunteer as much time needed to help support the judiciary committee with the facts, the truth from people who have boots on the ground, as well as to help understand the relationship between psychiatry and the law. The pandemic has made this issue so much greater. Training is necessary and I feel badly for the judges in these cases as we are asking them to judge a cardiac emergency with only the training of a hand surgeon. It doesn't make sense. I believe people do the best they can with the information they have. It is not fair to put these decisions on the feet of judges who have minimal DV training (on what it really looks like and the psychiatry behind it) and viewing a victim the way they can present, alone, on the stand. Judges are being plastered all over family court pages and being shamed daily. We need to find a way to create change and help support them which in turn helps support NH.

I am genuine in my resolve to help. I'm only here because I want to be.

Please reach out. All the best!

Best,
Dr. Rhonda Hodge

Sent from my iPhone

HB 1435 - AS INTRODUCED

2022 SESSION

22-2328

07/04

HOUSE BILL **1435**

AN ACT relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.

SPONSORS: Rep. Gay, Rock. 8; Rep. Stapleton, Sull. 5; Rep. M. Pearson, Rock. 34; Rep. Bernardy, Rock. 16; Rep. Greeson, Graf. 16; Rep. Woods, Merr. 23; Rep. Langley, Hills. 8; Rep. Homola, Hills. 27; Rep. Kofalt, Hills. 4; Rep. Rung, Hills. 21; Sen. Gannon, Dist 23

COMMITTEE: Judiciary

ANALYSIS

This bill establishes the right for a petitioner in a domestic violence case to have a support person present without restriction by the presiding judge.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the right of a victim of domestic violence to have a support person present when testifying or being deposed.

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

1 1 New Paragraph; Protection of Persons from Domestic Violence; Commencement of
2 Proceedings; Hearing; Establishing Right to Support Person. Amend RSA 173-B:3 by inserting after
3 paragraph VIII the following new paragraph:

4 IX. A plaintiff in family court proceedings shall be permitted a support person outside the
5 presence of the defendant or the defendant's legal counsel. Such use of a support person shall not be
6 restricted by the presiding judge.

7 2 Effective Date. This act shall take effect January 1, 2023.