

Committee Report

REGULAR CALENDAR

June 2, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Criminal Justice and Public Safety
to which was referred HB 205-FN,**

**AN ACT relative to incarceration under a suspended
sentence. Having considered the same, report the same:
NOT RECOMMENDED FOR FUTURE LEGISLATION.**

Rep. Terry Roy

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Criminal Justice and Public Safety
Bill Number:	HB 205-FN
Title:	relative to incarceration under a suspended sentence.
Date:	June 2, 2022
Consent Calendar:	REGULAR
Recommendation:	NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT

After a public hearing and several committee work sessions, the committee agreed that this bill should not be recommended for future legislation. This bill would treat all crimes the same with regard to their eligibility for early release. There must be a more nuanced approach to any bill proposing an early release program that acknowledges that there is a difference, for example, between serving a portion of a sentence for a violent crime and a property crime.

Vote 14-0.

Rep. Terry Roy
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Criminal Justice and Public Safety

HB 205-FN, relative to incarceration under a suspended sentence. NOT RECOMMENDED FOR FUTURE LEGISLATION .

Rep. Terry Roy for Criminal Justice and Public Safety. After a public hearing and several committee work sessions, the committee agreed that this bill should not be recommended for future legislation. This bill would treat all crimes the same with regard to their eligibility for early release. There must be a more nuanced approach to any bill proposing an early release program that acknowledges that there is a difference, for example, between serving a portion of a sentence for a violent crime and a property crime. Vote 14-0.

**Original: House Clerk
Cc: Committee Bill File**

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 205-FN

BILL TITLE: relative to incarceration under a suspended sentence.

DATE: June 2, 2022

LOB ROOM: 202-204

MOTION:

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

Moved by Rep. Wallace Seconded by Rep. Harriott-Gathright Vote: 14-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Scott Wallace, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB205

BILL TITLE: RELATIVE TO INCARCERATION under a suspended sentence

DATE: 6-2-22

LOB ROOM: 204

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)

NOT RECOMMENDED

Moved by Rep. Wallace Seconded by Rep. Gatwirth Vote: 14-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES _____ NO

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

Respectfully submitted: [Signature]
Rep Scott Wallace, Clerk



2022 SESSION

Criminal Justice and Public Safety

Bill #: HB205 Motion: NOT REC. AM #: 5 Exec Session Date: 2-2-22

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

14 - 0

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 205 Motion: NOT REC AM #: _____ Exec Session Date: 6.2.22.

TOTAL VOTE:

	14		0	
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CONSENT CALENDAR

October 5, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Criminal Justice and Public Safety
to which was referred HB 205-FN,**

**AN ACT relative to incarceration under a suspended
sentence. Having considered the same, report the same
with the recommendation that the bill be REFERRED
FOR INTERIM STUDY.**

Rep. Casey Conley

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Criminal Justice and Public Safety
Bill Number:	HB 205-FN
Title:	relative to incarceration under a suspended sentence.
Date:	October 5, 2021
Consent Calendar:	CONSENT
Recommendation:	REFER FOR INTERIM STUDY

STATEMENT OF INTENT

This bill was retained in committee to adopt a minor amendment. That amendment, and the underlying bill itself, were addressed in SB 134 which has been signed by the governor.

Vote 20-0.

Rep. Casey Conley
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Criminal Justice and Public Safety

HB 205-FN, relative to incarceration under a suspended sentence. **REFER FOR INTERIM STUDY.**

Rep. Casey Conley for Criminal Justice and Public Safety. This bill was retained in committee to adopt a minor amendment. That amendment, and the underlying bill itself, were addressed in SB 134 which has been signed by the governor. **Vote 20-0.**

HOUSE COMMITTEE ON Criminal Justice and Public Safety

BILL NUMBER: HB 205-FN

BILL TITLE: relative to incarceration under a suspended sentence.

DATE: March 3, 2021

THE COMMITTEE HAS VOTED TO RETAIN THIS BILL.

Rep. Abbas, Chair

Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 205-FN

BILL TITLE: relative to incarceration under a suspended sentence.

DATE: October 5, 2021

LOB ROOM: 201-203

MOTIONS: REFER FOR INTERIM STUDY

Moved by Rep. Conley

Seconded by Rep. Wallace

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Scott Wallace, Clerk



2021 SESSION

Criminal Justice and Public Safety

Bill #: 705 Motion: F/S AM #: _____ Exec Session Date: 10-5-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman			
Welch, David A. Vice Chairman			
Burt, John A. <u>ROSS BERRY</u>			
Hopper, Gary S.			
Green, Dennis E.			
Wallace, Scott			
Testerman, Dave			
True, Chris			
Pratt, Kevin M. <u>JEN RHODES</u>			
Marston, Dick			
Rhodes, Jennifer M. Clerk <u>Roy, Terry</u>	Y		
Harriott-Gathright, Linda C.			
Pantelakos, Laura C. <u>SUE NEWMAN</u>			
O'Hearne, Andrew S. <u>MATT WILHELM</u>			
Bordenet, John			
Meuse, David			
Newman, Ray E.			
Bouldin, Amanda C. <u>TIM HORTGAM</u>			
Conley, Casey M.			
Klein-Knight, Nicole <u>PETER SOMISSICH</u>			
Bradley, Amy <u>LAURA TELERSKI</u>			

20 0



2021 SESSION

Criminal Justice and Public Safety

Bill #: 205 Motion: Retain AM #: _____ Exec Session Date: 11/10

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



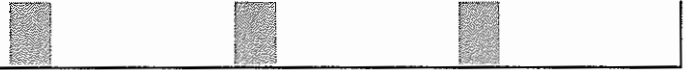
1/22/2021 9:56:15 AM
Roll Call Committee Registers
Report

2021 SESSION

Criminal Justice and Public Safety

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

TOTAL VOTE:





2021 SESSION

Criminal Justice and Public Safety

Bill #: 205 Motion: Retain AM #: _____ Exec Session Date: 11/10

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

Public Hearing

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 205-FN

BILL TITLE: relative to incarceration under a suspended sentence.

DATE: March 3, 2021

LOB ROOM: hybrid **Time Public Hearing Called to Order:** 1:35 p.m.

Time Adjourned: 1:45 p.m.

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

Bill Sponsors:

Rep. Schapiro

Rep. Bordenet

Rep. Abbas

Rep. Welch

Sen. Kahn

TESTIMONY

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

Rep. Shapiro, Sponsor. Introduced bill. Bill address concerns brought forward by citizens

Joe Mago - support- Conditions may not be met due to circumstances not in their control.

Jay Markey - supports

Joseph Lascaze, supports. NH ACLU successful re entry depends and relies on successful re hab.

Donna Brown -supports - NH Criminal defense attorney. Situations occur that are not in persons control.

Evenor Pineda, Supports - This will give you better timing and chance to prepare for parole.

Respectfully submitted,

Rep. Jennifer Rhodes, Clerk

House Remote Testify

Criminal Justice and Public Safety Committee Testify List for Bill HB205 on 2021-03-03

Support: 66 Oppose: 5 Neutral: 0 Total to Testify: 5

[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>
Schapiro, Joe	Keene, NH joe.schapiro@leg.state.nh.us	An Elected Official	Cheshire 16, Keene	Support	Yes (5m)	No	3/1/2021 3:13 PM
Lascaze, Joseph	Concord, NH joseph@aclu-nh.org	A Lobbyist	American Civil Liberties Union	Support	Yes (3m)	No	2/25/2021 2:32 PM
Mackey, Jay	Concord, NH jay.mackey@doc.nh.gov	State Agency Staff	NHDOC	Oppose	Yes (3m)	No	3/2/2021 2:39 PM
Brown, Donna	Concord, NH dbrown@wadleighlaw.com	A Member of the Public	NH Association of Criminal Defense Lawyers	Support	Yes (3m)	No	3/2/2021 1:58 PM
Mayo, Josiah	Somersworth, NH josiahmayo934@gmail.com	A Member of the Public	Myself	Support	Yes (2m)	No	3/3/2021 6:47 AM
St Germain, Diane	Bedford, NH diane.stgermain33@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 6:59 AM
Platt, Elizabeth-Anne	CONCORD, NH lizanneplatt09@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 7:05 AM
Hayes, Randy	Canterbury, NH rcompostr@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 7:11 AM
Leach, Kyle	Farmington, NH outleft@metrocast.net	A Member of the Public	Myself	Support	No	No	3/3/2021 8:07 AM
Hayden, Sam	Hopkinton, NH hayden.sam@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 8:16 AM
perez, maria	Milford, NH mariaeli63@gmail.com	An Elected Official	Myself	Support	No	No	3/3/2021 8:17 AM
Newton, Jay	Gilford, NH Jjnewt@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 8:33 AM
Clark, Denise	Milford, NH denise.m.clark03055@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 9:36 AM

Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 6:00 PM
Keilig, Pamela	Concord, NH pkeilig@nhcadsv.org	A Lobbyist	New Hampshire Coalition Against Domestic and Sexual Violence	Oppose	No	No	3/2/2021 6:33 PM
Waterman, Raymond	Merrimack, NH prwaterman@aol.com	A Member of the Public	Myself	Support	No	No	3/2/2021 8:05 PM
Waterman, Patricia	Merrimack, NH prwaterman@aol.com	A Member of the Public	Myself	Support	No	No	3/2/2021 8:06 PM
Reed, Barbara	N. Swanzey NH, NH moragmcp83@outlook.com	A Member of the Public	Myself	Support	No	No	3/2/2021 11:02 PM
Baird, Cathryn	Newport, NH freewillfarm@comcast.net	A Member of the Public	Myself	Support	No	No	3/3/2021 5:18 AM
Arnold, Neil	Marlborough, NH krisarn@myfairpoint.net	A Member of the Public	Myself	Support	No	No	3/2/2021 11:19 PM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 7:28 AM
Green, Debra	Greenville, NH laffalot37@gmail.com	A Member of the Public	Myself	Support	No	No	3/3/2021 12:57 PM
ellermann, maureen	CONCORD, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	3/3/2021 6:42 AM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 2:32 PM
Phillips, margery	hanover, NH margeryphillips@gmail.com	A Member of the Public	Myself	Support	No	No	2/27/2021 8:39 AM
Pineda, Evenor	Nashua, NH pevenor374@gmail.com	A Member of the Public	Myself	Support	No	No	2/27/2021 12:06 PM
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 3:25 PM
Lamb, Ashley	Durham, NH campioa@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 5:21 PM
Feder, Marsha	HOLLIS, NH marshafeder@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 5:47 PM
Larson, Ruth	Alton, NH ruthlarson@msn.com	A Member of the Public	Myself	Support	No	No	2/28/2021 7:54 PM
Smith, Sara	Pembroke, NH sara.rose.ssmith@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 8:23 PM

Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	2/28/2021 9:26 PM
Damon, Claudia	Concord, NH cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 9:32 PM
Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 9:57 PM
Pedersen, Michael	Nashua, NH PedersenUSA@aim.com	An Elected Official	Hillsborough 32	Support	No	No	2/28/2021 10:49 PM
st.martin, tom	candia, NH rockygorgenh@gmail.com	A Member of the Public	Myself	Support	No	No	2/28/2021 11:38 PM
Long, Julian	ROCHESTER, NH julianleelong@yahoo.com	A Member of the Public	Myself	Support	No	No	2/28/2021 11:51 PM
Greenwood, Nancy	Concord, NH nancgreenwood@yahoo.com	A Member of the Public	Myself	Support	No	No	3/1/2021 7:23 AM
Briggs, Ronald	Concord, NH Rongb1950@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 7:51 AM
Garen, June	Gilmanton, NH jzanesgaren@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 8:18 AM
Straiton, Marie	Pembroke, NH m.straiton@comcast.net	A Member of the Public	Myself	Support	No	No	3/1/2021 8:49 AM
Carter, Lilian	Deering, NH lcarter0914@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 9:14 AM
Blanchard, Sandra	Loudon, NH sandyblanchard3@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 9:47 AM
Cavanaugh, Marilyn	Auburn, NH wmcavanaugh@comcast.net	A Member of the Public	Myself	Support	No	No	3/1/2021 10:00 AM
Kaufman, Amy	Newfields, NH Fitark@comcast.net	A Member of the Public	Myself	Support	No	No	3/1/2021 10:49 AM
Chait, George	Sunapee, NH george.chait@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 10:52 AM
Torpey, Jeanne	Concord, NH jtorp51 @comcast.net	A Member of the Public	Myself	Support	No	No	3/1/2021 10:58 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	3/1/2021 11:24 AM
Russo, Steven	Steven Russo, Keene, NH, NH srusso@ci.keene.nh.us	A Member of the Public	Myself	Oppose	No	No	3/1/2021 12:17 PM

Moran, Sheila	Lebanon, NH sheilamoran26@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 12:44 PM
Moran, Dr. Daniel T.	Webster, NH dan@danielthomasmoran.net	A Member of the Public	Myself	Support	No	No	3/1/2021 1:06 PM
Reams, Mark	Amherst, NH mreams@amherstnh.gov	A Member of the Public	Myself	Oppose	No	No	3/1/2021 3:17 PM
Sargent, Elizabeth	Concord, NH esargent@sheehan.com	A Lobbyist	NH Association of Chiefs of Police	Oppose	No	No	3/1/2021 3:45 PM
Jakubowski, Deborah	Loudon, NH Dendeb146@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 4:35 PM
Kusch, Dan	Center Sandwich, NH Dan.kusch@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 6:23 PM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	3/1/2021 7:06 PM
Falk, Cheri	Wilton, NH Falk.cj@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 7:18 PM
jakubowski, dennis	Loudon, NH dendeb146@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 7:42 PM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 7:44 PM
Jachim, Nancy	Newport, NH nancyjachim@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 8:50 PM
Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Support	No	No	3/1/2021 10:39 PM
Brookmeyer, Janet	Grantham, NH brookmeyermusic@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 6:28 AM
Rettew, Annie	CONCORD, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 11:08 AM
Mott-Smith, Wiltrud	Loudon, NH wmottsm@worldpath.net	A Member of the Public	Myself	Support	No	No	3/2/2021 11:28 AM
Spielman, Kathy	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	3/2/2021 8:22 AM
Spielman, James	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	3/2/2021 8:24 AM
hatch, sally	Concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Support	No	No	3/2/2021 8:39 AM

Keeler, Margaret	New London, NH peg5keeler@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 9:47 AM
Higgins, Patricia	HANOVER, NH phiggins47@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 12:37 PM
Berry, Jake	Concord, NH jberry@new-futures.org	A Lobbyist	New Futures	Support	No	No	3/2/2021 3:18 PM
Irwin, Virginia	Newport, NH biddy.irwin@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 1:31 PM

Testimony

Archived: Monday, February 15, 2021 10:24:24 AM

From: J A

Sent: Tuesday, February 2, 2021 6:58:27 PM

To: ~House Criminal Justice and Public Safety

Subject: HB 205-FN Support

Importance: Normal

Dear Committee Members,

I am writing to show my support for HB 205-FN relative to incarceration under a suspended sentence.

I believe incarcerated persons should be allowed to bring a petition to suspend their sentence 18 months prior to 2/3 of their minimum sentence. Currently, many incarcerated persons are not released after bringing their petition and approved because they have not completed the required program(s). If a person is allowed to bring a petition 18 months prior to 2/3 of their minimum sentence, they can be placed in the required program(s) in time for the approved release.

I also believe citizens of NH should not be paying for those individuals whose petition has been granted but are retained to complete required program(s). NH citizens are paying for an individual's incarceration for an additional 30 days to possibly over 12 months beyond the approved release date because the individual has not completed a required program that could be completed if they were allowed to bring their petitioner 18 months prior to their 2/3.

Thank you for your consideration

JA

New Hampshire

Archived: Friday, March 12, 2021 3:44:59 PM
From: [Dan Weeks](#)
Sent: Friday, March 5, 2021 1:48:07 PM
To: ~House Criminal Justice and Public Safety
Subject: Please support HB 205 and HB 598
Importance: Normal

Dear Committee Members,

I write as a director at ReVision Energy, New Hampshire's largest clean energy company and an employee-owned B Corporation. We feel it is our responsibility as corporate citizens to support legislation that would make our criminal justice system more fair, especially to members of minority groups who have historically experienced far higher rates of incarceration for the same offenses which are often nonviolent and related to addiction. As a business seeking to employ more people in the trades, we also believe it is the state's best interest to support the rehabilitation of incarcerated people in any way possible so they can reenter society as productive, hard-working taxpaying citizens.

HB 205 would not change when someone could leave prison but simply allow them to apply for a suspended sentence a little earlier, thereby giving them more time to prepare for re-entry if their suspended sentence is granted. Such preparation is critical to successful re-entry, with people who are incarcerated needing to find housing, find a job, work to renew their driver's license and other necessary steps. This bill will help them re-enter successfully.

HB 598 would enable people to apply for parole after serving 50% of their minimum sentence. It doesn't mean they would be automatically granted parole or released from prison any sooner (parole boards would still consider each case individually) but it incentivizes rehabilitation and gives incarcerated people an earlier to make their case to the parole board. Once a person has been rehabilitated, it is actually counterproductive to keep them in prison longer. NH has one of the most extreme versions of "truth in sentencing" in the country. Even in the 1980s when other states adopted this type of policy like NH, they only required that people serve 70 or 80% of their minimum while NH has always required 100%; many states have reduced that number since. We believe NH's current policy is extreme, counterproductive, and expensive.

Thank you for your service to NH and for considering our viewpoint.

Sincerely,
Dan Weeks
7 Shattuck St.
Nashua, NH 03064



Dan Weeks | Employee-Owner | Director of Market Development
[ReVision Energy](#), a [Certified B Corp](#)

603.679.1777 office
603.264.2877 mobile

[Locations](#) in New Hampshire, Maine, and Massachusetts
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"Be the change you wish to see in the world."

Bill as
Introduced

HB 205-FN - AS INTRODUCED

2021 SESSION

21-0376

04/08

HOUSE BILL **205-FN**

AN ACT relative to incarceration under a suspended sentence.

SPONSORS: Rep. Schapiro, Ches. 16; Rep. Bordenet, Ches. 5; Rep. Abbas, Rock. 8; Rep. Welch,
Rock. 13; Sen. Kahn, Dist 10

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill amends the amount of time that must be served by a person incarcerated under a suspended sentence before petitioning for the suspension of the remainder of the sentence.

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

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to incarceration under a suspended sentence.

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

- 1 1 Incarceration Under a Suspended Sentence. Amend RSA 651:20, I(a) to read as follows:
- 2 (a) Any person sentenced to state prison for a minimum term of 6 years or more shall
- 3 not bring a petition to suspend sentence until such person [~~has served at least 4 years or 2/3 of his~~
- 4 ~~minimum sentence, whichever is greater,~~ **is within 18 months of serving 2/3 of the minimum**
- 5 **sentence,** and not more frequently than every 3 years thereafter. Any person sentenced to state
- 6 prison for a minimum term of less than 6 years shall not bring a petition to suspend sentence until
- 7 such person has served at least 2/3 of the minimum sentence, or the petition has been authorized by
- 8 the sentencing court. For the purposes of this subparagraph:
- 9 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 205-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to incarceration under a suspended sentence.

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 reduces the amount of time that must be served by a person incarcerated under a suspended sentence before the person may petition for suspension of the remainder of their sentence. The Department of Corrections indicates it cannot predict when current or future residents will petition the court to suspend their sentence or the outcome of such petitions. The Department expects the fiscal impact would be either no change or a decrease in expenditures.

The Judicial Branch indicates there may be an influx of petitions to suspend sentences from those newly eligible. It is not possible to estimate how many petitions there may be, but the Branch assumes any increase in workload would likely be absorbed by the Branch within existing resources.

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

AGENCIES CONTACTED:

Department of Corrections and Judicial Branch