

**LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT  
COMMITTEE**

Legislative Office Building, Room 212  
Concord, NH  
Tuesday, April 5, 2016

**MEMBERS PRESENT:**

Sen. John Reagan, Chairman  
Sen. Gerry Little  
Sen. Lou D'Allesandro  
Sen. Chuck Morse  
Rep. Lynne Ober  
Rep. Laurie Sanborn

(The meeting convened at 3:03 p.m.)

1. **Acceptance of minutes of the February 29, 2016 meeting.**

CHAIRMAN REAGAN: Okay. Motion on the minutes?

\*\* SEN. LITTLE: So moved.

REP. OBER: Second.

CHAIRMAN REAGAN: Any discussion? Any corrections? Deletions? All those in favor?

\*\*\* {MOTION ADOPTED}

3. **Discussion and approval of Scope Statement for The Department of Safety, Homeland Security and Emergency Management performance audit.**

CHAIRMAN REAGAN: Okay. We have a -- we need to vote on the Scope Statement for the Division of Homeland Security and Emergency Management. I know we've all gotten that because we received an email. Do I have a motion to approve the Scope Statement?

\*\* REP. OBER: So moved.

SEN. LITTLE: Second.

CHAIRMAN REAGAN: Is there anything they want to add, delete or correct on the Scope Statement for Homeland Security and Emergency Management? All those in favor? Opposed? We have the Scope Statement.

\*\*\* {MOTION ADOPTED}

CHAIRMAN REAGAN: I'm looking for a motion to -- performance audit on the Sex Offender Treatment Program of the Department of Corrections.

\*\* SEN. LITTLE: I make a motion.

REP. OBER: Can we hear from the Commissioner about that program?

CHAIRMAN REAGAN: Let's get the motion first.

\*\* SEN. D'ALLESANDRO: So moved.

SEN. LITTLE: Second.

CHAIRMAN REAGAN: Okay. Commissioner Wrenn. Thank you.

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

WILLIAM WRENN, JR., Commissioner, New Hampshire Department of Corrections: Good afternoon, Mr. Chairman and Members of the Committee. For the record, my name is William Wrenn, Commissioner for the New Hampshire Department of Corrections.

CHAIRMAN REAGAN: Representative Ober.

REP. OBER: Now, can you tell us a little bit about your perspective or your -- how you feel the program is running and what's going on with it?

COMMISSIONER WRENN: Well, I will say that we've had issues from time to time. Generally it's with people leaving, employees leaving the department and then not being able to fill the position for a while.

We always have sex offender treatment going on, but generally we have -- I think it's four or five clinicians assigned to that -- that treatment modality. If you lose one or two -- um -- a vacancy, by the time you get to replace them, sometimes backups do occur.

REP. OBER: How many convicted sex offenders are there at any one time? Or an average? There are -- you've got five or six people. How many people are these people servicing?

COMMISSIONER WRENN: Well, it's hard to say because -- um -- overall in the department we have between seven and 800 sex offenders. So what we try to do is we calculate their attendance in our sex offender treatment program based on their minimum

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

sentencing date.

So we -- we put them on a time line that begins with the minimum paroling date and go back -- generally back two years. So within that two-year period of time, that's when we start to do the assessment and start to bring them into the program.

Each individual works at their own level, so we may have some that might be able to get through the program in six months. Others may take a lot longer depending on their ability to get through the material.

CHAIRMAN REAGAN: Okay.

SEN. D'ALLESANDRO: Commissioner, I had a couple parents visit me of an individual. And what's with getting into the program? There seems to be a holdup on people getting into the program. They want to get into the program, but they can't. Is that problematic? Is that because we can't hire the people or what's behind that?

COMMISSIONER WRENN: No, it's usually based on their time, but what an assessment does, they'll look to see if in fact our treatment program inside the facilities are what is necessary before they leave or perhaps can the treatment be done in the community at a community-based treatment facility based on the crime and based on their -- their history.

There's varying issues that may come up at some point in time that may prevent somebody from getting

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

in when they should get into the program. It could be the fact that their disciplinary record is bad, and they're in our special housing unit. It could be the fact that once they get into the program, then they start to act out or fail to commit themselves to the program. There's all varying issues.

Many of them just want to get through the program so that they can go to the parole board and say they -- they've done it. And, you know, obviously our hope and our -- our aim is to try to rehabilitate as best as we can the sex offender before they go back out again.

SEN. D'ALLESANDRO: A follow-up question. Is there a backlog?

COMMISSIONER WRENN: There can be. Actually the backlog was a lot larger years ago than it is now. However, the head of our program, the head of our sex offender treatment program, just retired on us. So there could be a little bit of a backup starting to form again, but he was actually doing some of the clinical work as well.

Our aim, our goal is to make sure there isn't a backlog. You know, I know you -- speaking with Mr. Doornan (phonetic) -- I see him here in the crowd -- he has said quite often that we have a huge -- um -- waiting list of people going in there. We have said that's not accurate, but from time to time there could be people on that waiting list.

REP. OBER: How big is the waiting list from

time to time in your perspective?

COMMISSIONER WRENN: I would say it would be 10 to 15 maybe on the waiting list. At one time there could have been upwards to 50 or 60 back years ago. But in my -- what I've been told -- and this, again, was before our administrator of the program left -- um -- that the -- at time to time the backlog could get to about 10, and then they would work on it.

SEN. D'ALLESANDRO: And the situation, if an inmate is looking at this program as a way to address the parole board with regard to, you know, a parole hearing, and that -- the backlog is long, the contention may be that there's an impediment now to that person seeking parole. Is that the case? Have you found that to be the case? You know where we're getting it from, from parents of people who are in --

COMMISSIONER WRENN: The parole board at times will take a hard look at the fact that an individual, especially a sex offender, has not received their recommended treatment, and they may delay the parole of that individual because of that. That is true.

SEN. D'ALLESANDRO: Okay. Thank you.

CHAIRMAN REAGAN: Okay. I think that testimony supports the need for the performance audit. Further discussion? All those in favor? Okay.

**\*\*\* {MOTION ADOPTED}**

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

CHAIRMAN REAGAN: That's all that --

REP. OBER: When will that start?

CHAIRMAN REAGAN: We'll get the Scope Statement. We approved that.

REP. OBER: Next time? Will we get the Scope Statement next time?

STEPHEN P. FOX, Ph.D., Audit Supervisor, Audit Division, Office of Legislative Budget Assistant: Sure. It all depends on how you want to proceed. Is this going to be a priority for you?

CHAIRMAN REAGAN: Yes.

DR. FOX: We have ongoing audits, so we need to decide, I guess, from your perspective which audit we should -- uh -- suspend. The one that we most recently had an entrance conference on is the Air -- Air Services Division -- Air Resources Division at DES. Uh -- we just had that -- uh -- entrance conference last week, so to me it would make more sense to pull that team off and put them on this audit with your approval.

CHAIRMAN REAGAN: If that's not too disruptive, let's do that. Thank you.

STEPHEN C. SMITH, MS, CPA, Director, Audit Division, Office of Legislative Budget Assistant: We can -- we can get this on the letter to Fiscal -- uh -- next Friday for the -- the 7th.

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

REP. OBER: We're going to meet the 15th, not the 8th.

MR. SMITH: Okay. The next regular meeting.

REP. OBER: Yes.

CHAIRMAN REAGAN: Okay. That's all we have to vote on. So anybody that has to leave, it's okay.

2. **Current status of ongoing and pending Performance audits.**

CHAIRMAN REAGAN: And now we'll get the current status of the ongoing and pending audits.

MR. SMITH: And, again, for the record, Steve Smith, Director of Audits, LBA. I'll just go quickly through these. The first two bullets. The Department of Administrative Services, consolidation of certain business process and functions, and the WorkReady New Hampshire Program under DRED, both of those are complete. The reports are done, and we're prepared to present those at Fiscal on the 15th.

The next three. DOT, bridge maintenance. Um — we're in the middle of field work on that particular engagement, so that is ongoing. Department of Safety, Homeland Security. You just approved the Scope Statement, so we will begin the planning and go further into field work with that one.

And, as Steve Fox just mentioned, the DES Air Division, we just had an entrance last Thursday on that, so we're just getting going on that, but with



the outcome of this -- this meeting that might change.

The next three. Department of Information Technology. No work has begun on that topic yet. The next two were approved by this Committee at the last meeting. Naturopathic examiners as well as the real estate brokers. That will be on the letter for Fiscal's acceptance on the 15th as well. So no, no work has begun on those two.

And the last one, as you know from previous meetings, that won't -- we won't get to that until 2017, which is the -- per the legislation on that particular topic. So those are all the current approved topics and their statuses.

REP. OBER: Mr. Chairman?

CHAIRMAN REAGAN: Yes.

REP. OBER: As the Executive Director of the Office of Professional Licensure and Certification retired March 31st, perhaps we would want to delay that audit and -- as well and move up the audit we just approved because I really think you need a new director there to do that audit.

SEN. D'ALLESANDRO: I think we -- if I may, I think we need the audit. The audit hasn't been done for a long time.

REP. OBER: No, I'm not saying stop it. I'm just saying as we look to shuffle things around, Senator, that that is one we could shuffle backwards a little bit in order to move up the sex offenders.

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

CHAIRMAN REAGAN: Okay.

REP. OBER: I mean I would assume the Governor is actively -- and she knew when the executive director was retiring. She's probably got somebody ready to go, and I think the sex offenders is a little more important than that one. And I know that's an important audit, but --

SEN. D'ALLESANDRO: I think the second thing about it is important, and I don't think the Governor had any idea that the person was leaving, had no idea at all. It came -- it came out of the blue, and it came as a result of a number of activities that had been going on that I think were very detrimental to the consolidation of that department, which indeed we all voted for, we all approved, and we approved it as a methodology to make them more effective, make them more efficient.

And that consolidation brought people to the point where there was some responsibility and a way to define what they were doing, how they were doing it and so forth. Those are all 125 percent agencies. They've been collecting money for a long time. Is that money being spent properly? That's an important issue. There's a lot of departments over there that have been consolidated.

REP. OBER: There are a lot of departments, but remember this is not a finance audit. It's just a performance, and it would be good to have a director there, but I think the sex offenders audit, based on the kinds of things we've been hearing, and I've heard the same thing Senator Reagan has, and we're

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

trying to shuffle things to move it up. I don't think it would hurt to delay that going to Fiscal one month, for example. Not a big -- not a big thing.

SEN. D'ALLESANDRO: I think the sex offender audit is very important. I think people visit me at the office with regard to complaints, so I agree with that.

REP. OBER: Um-hum.

SEN. D'ALLESANDRO: But indeed when we lose the quality of employee who's had 25 years of service to the State of New Hampshire, and we lose them when we, the Legislature, approved of that consolidation, we moved that consolidation forward, and we did it because of the leadership of that, there's something wrong, and that's got to be looked at. It has a priority basis. I would say it's something we ought to look at. Because when good employees leave on the spur of the moment, there's a reason for that.

CHAIRMAN REAGAN: You'll advise us on this.

MR. SMITH: I'm sorry?

CHAIRMAN REAGAN: You'll advise us on what you discover.

4. Other business.

CHAIRMAN REAGAN: Any other business?

5. Date of next meeting and adjournment.

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016

CHAIRMAN REAGAN: The meeting is adjourned.

(The meeting adjourned at 3:18 p.m.)

## C E R T I F I C A T E

I, Debra L. Mekula, a Licensed Court Reporter and Justice of the Peace in and for the State of New Hampshire, do hereby certify that the foregoing, to the best of my knowledge, skill and ability, is a true and accurate transcript of my stenographic notes of the Legislative Performance Audit and Oversight Committee meeting, taken at the place and under the circumstances present on the date hereinbefore set forth.

---

Debra L. Mekula, LCR, RMR  
Licensed Court Reporter  
Registered Merit Reporter  
N.H. LCR No. 26 (RSA 310-A)

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

April 5, 2016