

NH Voter – the newsletter of the League of Women Voters of NH

Winter 2012

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From the CO-Presidents' Desk...

This was the Year Without A Holiday Break for members of your state board. In early December LWVUS asked us to host a pre-release screening of the documentary "Patriocracy"--we hope you were able to attend that event on Jan. 8 in Concord. LWVUS president Elisabeth MacNamara came to moderate the panel discussion that followed, which included the filmmaker (Brian Malone) and former Congressman. Paul Hodes (D) and former NH Senator Jim Rubens (R). We got a venue, set up a series of social events and meals with Elisabeth, publicized the event—and squeezed in a few Ho, Ho, Ho's when we could.

At the same time, our election law specialist Joan Ashford asked for help in finding errors on town websites, specifically those that mislead the public by stating or implying the need for a specific kind of voter ID in order to register or vote. So we helped with that work.

We're also trying to wrap up our study of women incarcerated in NH (see article and consensus questions inside) because very soon the state will consider proposals for new prisons and we want to advocate appropriately. Related to our study, we also reached out to all current and former League members in Cheshire County, urging them to contact their representatives about drastic proposed cuts to the county's budget for alternatives to incarceration.

Finally, like most of you, we've gotten nearly daily automated phone calls about the January primary. What an exciting time to live in NH!

All we want to do now is look ahead to our League Day at the Legislature in March and hope to see you there too!

Liz Tentarelli, with Sally Davis concurring in a big sigh...

Final Part of Our Study—the Impact of Incarceration on Women in NH

We have spent the fall studying the courts, especially the alternative courts in NH. This is the final part of our study, begun in 2009! What an exciting time these almost three years has been for study committee members—12 field trips to eight of our county houses of correction, visits to the women's prison and the women's half-way house, numerous meetings with experts from state and county corrections and treatment programs, meetings with women offenders. The more we learned, the more we discovered we needed to research. So we read voraciously on the topic, comparing NH to other states and finding out what is working elsewhere. We also see much progress being made in NH.

It's true that our women's prison is woefully inadequate. The report released this fall by the NH State Advisory Committee of the U.S. Commission on Civil Rights makes clear that a new women's prison is needed. Band-Aid patches will no longer work. Now there are several RFPs in the state for new prisons. We must wait to see what proposals come in. Some include elements of privatization. The study committee will follow these proposals and be prepared to advocate in the legislature for improvements to the status quo.

For the final consensus phase of our study, please consider these facts:

Alternatives to incarceration for non-violent offenders are being tried in several counties in New Hampshire. The following alternatives show promise of reducing recidivism and having positive effects on participants:

A. Drug courts, in which substance abusers can be assigned to mandated treatment, counseling, supervision, and support groups while continuing to live and work in their communities. Grafton County's drug court is an exciting example. *We had a long article about this court in the September NHVoter. You can find back issues of the NHVoter on the Publications page of our website, LWVNH.org*

B. Mental health courts, in which decisions about treatment and supervision can be made to address and improve the underlying mental health issues in settings other than prisons or houses of correction. The mental health court in Hillsboro County, for example, has already resulted in fewer inmates at the HOC.

C. Pre-trial diversion, in which some offenders continue to live and work in their communities while they attend required treatment and counseling and may have their offenses voided if they comply with stipulated conditions. Merrimack County is using this model currently. A 2005 study by UNH showed greatly reduced recidivism for those offenders who completed one of the diversion programs.

D. Recently the county commissioners in Cheshire County voted to delete the Alternative Sentencing Program from the county budget. Two League board members were at the meeting where county agencies and the house of corrections officials

learned details of these proposed cuts. Like the programs described above, Cheshire --- County's Alternative Sentencing Program shows great promise of reducing recidivism and helping individuals get restarted on a positive path. It is both a drug court and a mental health court. We urged our members and past members in Cheshire County to call or email their county commissioners and request the program be reinstated in the county budget. No word yet on the outcome of that.

Financial investment in the alternative courts, treatment centers, and counseling in the short term is needed, on both a county and state level, to achieve the anticipated long term benefits in reduced incarceration costs and improved personal outcomes for offenders and their families. The Justice Reinvestment Project (at the state level, instituted in 2010) is one model whereby corrections savings through reduced incarceration time are to be reinvested in community support for offenders following their release, in an effort to reduce recidivism and improve prospects for offenders to become self-supporting and law-abiding citizens.

State and county investment in alternatives to incarceration is worthwhile if assessment shows reduced recidivism, more positive outcomes in terms of offenders' employment and ability to support themselves and their families, and savings in other corrections expenditures.

The following questions will be considered by local Leagues in consensus meetings*. If you are unable to attend a meeting, you may participate by mailing in your responses.

Alternatives to incarceration should be evaluated for cost effectiveness, recidivism rates, and overall positive or negative impacts on the lives of offenders and their families. AGREE___ DISAGREE___

Counties should share the results of assessments of alternatives with other counties. AGREE___ DISAGREE___

Counties not yet using alternative sentencing and pre-trial diversion should be encouraged to set up pilot programs, modeled on successful programs in other counties or states. AGREE___ DISAGREE___

Innovation should also be encouraged for other alternatives to incarceration. AGREE___ DISAGREE___

Counties and the state should support financially the agencies that serve offenders involved in alternative programs. AGREE___ DISAGREE___

Your ZIP code, please _____

Mail your responses to LWVNH, 4 Park St. Room 200, Concord NH 03301. Please mail your responses by March 1.

*Consensus meetings will be held by LWVKearsarge/Sunapee on Wed., Jan. 11, at 10:30 am at the Lake Sunapee Bank Community Room, Newport Rd., New London NH 03257. The LWV Capital Area consensus meeting will be held in March. Check our website for date, time, and place.

Constitutional Amendments

Over the past 200 years there have been 143 amendments ratified by New Hampshire voters resulting in 239 changes in the original constitution of 1784. There are two ways in which our constitution can be amended.

The legislature can place on a general election ballot a question to voters on whether they would like to have a constitutional convention. Delegates would then be selected, meet and propose changes.

The second method is that either house of the general court can propose amendments. Both houses of the legislature, voting separately, must pass the proposed amendment by a three-fifths vote (60%). Then the proposed amendment must be placed on the ballot of the next general election and voters must approve it by a 2/3 majority.

Despite the number of changes that have occurred, voters seem to indicate that the constitution should be amended only when necessary to address a serious problem or the realistic threat of such a problem. Statutes can be changed – amended or repealed – but once something becomes part of the constitution, it becomes a guiding principle for the state.

In this biennium, a total of 27 potential amendments to the constitution will be considered. In 2011, thirteen proposed amendments were debated – and the debate continues – as none of them has yet passed both houses with the required majority.

Four amendments were carried over into January 2012 from the 2011 session. CACR 6 relates to taxation. *The League of Women Voters would oppose this amendment.* It would require a 3/5 vote by each house of the legislature to impose new or increased taxes or license fees. This super-majority vote requirement would tie the hands of the legislature and make it more difficult to keep pace with economic growth, population growth or changing needs when our revenue system right now does not raise enough to meet our state's basic needs.

Taxes make possible all of the infrastructures that our economy and quality of life depend on. Making taxes and fees more difficult to enact will guarantee more downshifting of responsibility to localities and thereby increase taxes locally while limiting them statewide. CACR 6 has passed the House and is now in the Senate Internal Affairs Committee.

CACR 13 relates to prohibiting any new tax on personal income. *The League of Women Voters would oppose this amendment.* Eliminating a method of revenue for the state's responsibilities seems irresponsible and should not become part of the constitution. While an income tax may not be the perfect solution to the state's fiscal woes, it may need to be a part of the revenue source structure since it does provide revenue based on one's ability to pay. CACR 13 is in House deliberations right now and will then move to the Senate for consideration.

CACR 7 and 12. These are two amendments which relate to the funding of public education. *The wording of those amendments is being revised and the League will review the content of whichever amendment comes forward before determining our position.*

CACR 7 provides that the general court shall distribute funds in the manner that it determines will best promote an equal opportunity for an adequate education. This puts education funding right in the legislature's hands and allows targeting of aid to specific districts.

CACR 12 provides that the legislature shall define standards for education, determine the level of state funding thereof, establish standards of accountability, and allocate state funds in a manner that mitigates disparities in educational opportunity and fiscal capacity, provided that a reasonable share of state funds shall be distributed on a per pupil basis. This amendment also allows the targeting of aid and each legislature shall determine the level of state funding.

For decades now, New Hampshire has been involved in a dialog between the courts, the legislature and the public about what constitutes an adequate education and who should fund that education. Finally, the legislature determined the components of an adequate education and developed a formula for funding. *The League believes that an equal opportunity for success in education is a priority. We also believe that poorer school districts may need additional support but we do not believe an amendment is necessary to provide this additional support.*

CACR 7 is in an Interim Study committee in the House, expected to go to the House floor for a vote in January. CACR 12 passed the House and has been referred to the Senate Internal Affairs Committee with a vote expected soon.

There are 14 constitutional amendments that will be debated from January to June. Many deal with the structure and responsibility of the courts although CACR 27 seeks to reduce the size of the membership of the House of Representatives. Interesting. For sure, we can expect a constitutional amendment of the ballot for the general election in November.

Legislative Priorities

LWVNH will focus on three legislative priorities during this session: *election laws/voting rights, criminal justice, and constitutional amendments.*

Other issues requiring attention will undoubtedly arise as we work with our various coalitions.

Sally Davis will send you information on bills being heard each week if you email her at sally.davis36@gmail.com.

Patriocracy Showing Attracts a Large Crowd

Eighty-five Leaguers, legislators and members of the general public viewed a showing of the movie, "Patriocracy" two days before the Primary at NHTI in Concord. Sponsored by the LWVUS and the LWVNH, the movie which the Huffington Post described as "an objective and succinct examination of the political divide this country faces" was introduced by producer Brian Malone. It featured such Washington old hands as Bob Schieffer, CBS Washington correspondent, former U.S. Senator Alan Simpson, political reporter and TV pundit Eleanor Clift and political commentator Pat Buchanan giving their views on political polarization and the resulting gridlock currently affecting Congress.

After the movie LWVUS President Elisabeth McNamara questioned panelists Jim Rubins (R) former NH Senator and Paul Hodes (D) former NH Congressman who voiced somewhat different views of the problem although both agreed on its serious nature. Blame was placed on biased entertainment, so-called news programs that encourage division among voters, and the increasing role of money in campaigns.

Legislative Redistricting

Article 9 of the New Hampshire Constitution gives control of legislative redistricting to the legislature itself. Every ten years after the census, redistricting plans are drawn up, and submitted as bills which go through the normal legislative process and are subject to the Governor's veto. Traditionally the House has drawn districts for the election of Representatives to the General Court and members of the Executive Council while the Senate determines district lines for senatorial districts as well as for the two US congressional districts. The bills are sent to committee and follow the path of regular legislation and when passed are subject to the veto of the Governor.

NH law requires that districts must be contiguous, maintain boundaries of towns, wards, or unincorporated areas. For state rep districts towns or wards near the average population for one or more seats are to constitute whole districts, additional population may be considered in overlapping districts (floterials).

LWVNH supports a state redistricting process and standards that promote fair and effective representation in the state legislature and in the U.S. House of Representatives with maximum opportunity for public scrutiny. It supports legislation establishing an independent, non-partisan commission with broad-based community representation as the preferred redistricting body.

Both the House and Senate have proposed redistricting plans using the current census figures. The House plan (HB592) and the Senate plan (SB201) are presently being heard in committee. The House plan has stirred up a great deal of opposition especially from towns which do not have individual representation. This plan was released only 24 hours before the public hearing was scheduled. The Senate plan seems less controversial and was scheduled for a hearing on January 11.

The League of Women Voters of New Hampshire hereby declares March 6, 2012, to be “May Sidore Gruber Day” in honor of the 100th birthday of this founding member of the League of Women Voters of Manchester.

May Gruber is known by many in NH. In 1940 she and her husband Saul Sidore moved their knitting company, Pandora, to Manchester. After Saul's death in 1964, May raised the funds to buy out other Pandora owners and became its president. Pandora employed 1200 workers at its peak.

May found time to raise her five children, start the League of Women Voters Manchester, and publish the local League's newsletter. She eventually started a subscription paper, the Manchester Free Press, and wrote two books, the first published when she was 72.

Happy Birthday, May!

Day at the Legislature

Join League members for our annual Day at the Legislature, Tuesday, March 20. Snow date is Thursday, March 22.*

We will meet in the League office** at 9 am for coffee and an introduction to the bills being discussed that day. Then in small groups we will visit the state house, sitting in on committee hearings of interest to the League.

Please bring a bag lunch. We will serve drinks and dessert. We will have lunch in a building near the capital, debrief during lunch and be done by 2 pm.

****If weather is bad, call 763-9296 for a recorded message about postponement.***

**The League office is at 4 Park St, Suite 200. This is on the corner of Main St. and Park St., adjacent to the capitol. Parking is available at 50 cents an hour in nearby parking garages.

Use the response form on the following page to indicate your plan to attend.

Day at the Legislature response form.

Please reply as soon as possible, via email to LWV@kenliz.net or phone Liz Tentarelli at 763-9296 (evenings). Give us your email and phone number in case we need to reschedule—at this time we just don't know what hearings/meetings are going on in the legislature in March but it is sure to be exciting!

Or mail this form by March 1 to Liz Tentarelli, 27 Bowles Rd., Newbury NH 03255

I/we would like to attend the League of Women Voters Day at the Legislature on March 20.

Name _____ town _____

Phone or email: _____

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