

CHAPTER 146
SB 221 - FINAL VERSION

2022 SESSION

22-2872
04/05

SENATE BILL ***221***

AN ACT relative to the internal organization of the department of corrections.

SPONSORS: Sen. Reagan, Dist 17; Sen. D'Allesandro, Dist 20; Sen. Avar, Dist 12; Sen. French, Dist 7; Sen. Gannon, Dist 23; Sen. Carson, Dist 14; Sen. Birdsell, Dist 19; Sen. Sherman, Dist 24; Rep. Spillane, Rock. 2; Rep. McGuire, Merr. 29

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill amends the structure and duties of the divisions within the department of corrections, replaces the division of security and training with the division of personnel and information, and replaces the division of community corrections with the division of rehabilitative services.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the internal organization of the department of corrections.

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

1 146:1 Department of Corrections; Internal Organization Units. RSA 21-H:4 is repealed and
2 reenacted to read as follows:

3 21-H:4 Internal Organizational Units. The department shall include the following internal
4 organizational units performing the following major functions:

5 I. The division of administration, under the supervision of an unclassified director of
6 administration, who shall, in accordance with applicable laws, be responsible for:

7 (a) Accounting, purchasing, and budget control.

8 (b) Property, contracts, and grant management.

9 (c) Assistance to the commissioner with short and long range department-wide planning
10 activities.

11 (d) Logistics, facilities management, and food service.

12 II. The division of field services, under the supervision of an unclassified director of field services,
13 who shall, in accordance with applicable laws, be responsible for:

14 (a) Supervising adults placed on probation and residents placed on parole.

15 (b) Collection of restitution from individuals under the department's supervision.

16 (c) The victim-offender dialogue program, which shall be a victim-initiated, voluntary program
17 to assist crime victims who seek access to restorative justice programs as provided under RSA 21-M:8-k,
18 II(u), under the direction of the victim services coordinator, who shall:

19 (1) Implement and oversee the program.

20 (2) Advocate for the rights of crime victims.

21 (3) Provide corrections-based victim services including but not limited to:

22 (A) Notification of offender status changes.

23 (B) Victim-initiated victim-offender dialogue.

24 (C) Advocacy, safety, and support for victims during reduced custody, offender re-
25 entry, and hearings of the adult parole board. Participation in the program shall not affect the court's
26 decision relative to sentencing, parole, or other types of supervised or unsupervised release programs.

27 III. The division of medical and psychiatric services, under the joint supervision of a medical
28 director and an unclassified non-medical director, who shall respectively have the duties and
29 responsibilities provided in RSA 622:43, and who shall act in an advisory and coordinative capacity in
30 assisting other agencies and activities in the provision of mental health and psychiatric services to
31 persons involved in the criminal justice system.

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1 IV. The division of professional standards, under the supervision of an unclassified director of
2 professional standards, who shall, in accordance with applicable laws:

3 (a) Conduct and supervise investigations and audits relating to all aspects of the operations
4 and programs of the department, including but not limited to, complaints and grievances.

5 (b) Coordinate and recommend policies designed to promote economy, efficiency, and
6 effectiveness in the administration of the department, and to detect and prevent fraud and abuse in
7 departmental programs and operations.

8 (c) Advise the commissioner concerning problems or deficiencies relating to the
9 administration of departmental programs and operations, and provide advice on the necessity for, and
10 progress of, correctional action.

11 (d) Perform other duties as assigned by the commissioner.

12 V. The division of personnel and information, under the direction of an unclassified director of
13 personnel and information, who shall, in accordance with applicable laws, be responsible for the following
14 functions:

15 (a) Personnel management, recruitment, and retention.

16 (b) Employee training and development.

17 (c) Internal and external communications, including management of the department's public
18 communications portals.

19 (d) Business information and technology.

20 (e) Other duties as assigned by the commissioner.

21 VI. The division of rehabilitative services, under the supervision of an unclassified director of
22 rehabilitative services, who shall, in accordance with applicable laws:

23 (a) Direct and oversee departmental rehabilitative services for residents to prepare them for
24 release from institutional settings into the community.

25 (b) Coordinate with community organizations to provide a continuity of rehabilitative services
26 for individuals under probation or parole supervision in order to achieve stability within the community and
27 reduce recidivism.

28 (c) Operate and administer all transitional work and housing units where residents are
29 assigned for minimum security and work release.

30 (d) Serve as the primary liaison between the department and community-based service
31 providers, and municipal, county, and state entities with common issues and responsibilities, including
32 educational and vocational or career-path opportunities.

33 (e) Work with the department of justice and other state and federal agencies to identify,
34 secure, and manage grant funds to supplement services available to individuals under departmental
35 supervision, including but not limited to housing and employment assistance, substance abuse treatment,
36 mental health treatment, and medical and prescription services.

37 146:2 Department of Corrections; Commissioner and Other Department Officials. Amend RSA 21-
38 H:6, IV and IV-a to read as follows:

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1 IV. The commissioner shall nominate for appointment by the governor, with the consent of the
2 council, a director of [~~security and training~~] ***personnel and information*** who shall serve at the pleasure of
3 the commissioner.

4 IV-a. The commissioner shall nominate for appointment by the governor, with the consent of the
5 council, a director of [~~community corrections~~] ***rehabilitative services*** who shall serve at the pleasure of the
6 commissioner.

7 146:3 Department of Corrections; Qualification and Compensation. RSA 21-H:7 is repealed and
8 reenacted to read as follows:

9 21-H:7 Qualifications and Compensation of Certain Officials.

10 I. The commissioner, assistant commissioner, professional standards director, director of
11 personnel and information, director of rehabilitative services, and the division directors of the department
12 shall be qualified to hold such positions by reason of education and experience.

13 II. The salaries of the commissioner, assistant commissioner, professional standards director,
14 director of personnel and information, director of rehabilitative services, and the division directors of the
15 department shall be as specified in RSA 94:1-a.

16 146:4 Compensation of Certain State Officers. Amend the following positions in RSA 94:1-a, I(b),
17 grade GG to read as follows:

18 GG Department of corrections director of [~~community corrections~~] ***personnel and information***

19 GG Department of corrections director of [~~security and training~~] ***rehabilitative services***

146:5 Effective Date. This act shall take effect upon its passage.

Approved: June 07, 2022
Effective Date: June 07, 2022