

HB 381 – AS INTRODUCED

2013 SESSION

13-0090  
04/05

HOUSE BILL           **381**

AN ACT               relative to citizen complaints against a police officer.

SPONSORS:          Rep. Sapareto, Rock 6

COMMITTEE:       Criminal Justice and Public Safety

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ANALYSIS

This bill establishes a procedure for reporting citizen complaints against a police officer and specifies additional penalties for a police officer found guilty of perjury or false swearing.

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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to citizen complaints against a police officer.

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

1           1 New Subdivision; Police Officers and Watchmen. Amend RSA 105 by inserting after section 18  
2 the following new subdivision:

3   Citizen Complaints Against Police Officers

4           105:19 Citizen Complaints Against Police Officers.

5           I. Upon the filing of 2 or more citizen complaints against a police officer in a 12-month  
6 period, the police chief of the city or town which employs the officer shall notify either the governing  
7 body of the city or town or other entity responsible for hearing personnel matters involving police  
8 officers of the complaints, provided such entity is outside of the police department. Nothing in this  
9 section shall be construed to require any personnel matters involving police officers to become public  
10 information.

11           II. Notwithstanding RSA 91-A, all records of any official proceedings under this section shall  
12 be public records.

13           2 New Paragraph; Falsification in Official Matters; Perjury. Amend RSA 641:1 by inserting  
14 after paragraph II the following new paragraph:

15           III. In addition to the penalties for perjury set forth in this section, a police officer who is  
16 found guilty of perjury in any official proceeding shall be prohibited from serving as a police officer in  
17 this state for life. Notwithstanding RSA 91-A, all records of any official proceedings involving a  
18 police officer charged with perjury shall be public records.

19           3 New Paragraph; Falsification in Official Matters; False Swearing. Amend RSA 641:2 by  
20 inserting after paragraph III the following new paragraph:

21           IV. In addition to the penalties for false swearing set forth in this section, a police officer  
22 who is found guilty of false swearing in any official proceeding as defined in RSA 641:1, II shall be  
23 prohibited from serving as a police officer in this state for a period of not less than 5 years from the  
24 date of the conviction. Notwithstanding RSA 91-A, all records of any official proceedings involving a  
25 police officer charged with false swearing shall be public records.

26           4 Effective Date. This act shall take effect January 1, 2014.