

Winter 2010

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From the President's Desk...

There's nothing like going to jail to make you change your point of view. So it has been for the League study steering committee as we have made our rounds of the county houses of correction. What seemed rather obvious in our preliminary reading on the subject of women incarcerated in New Hampshire has been replaced by issues and challenges we didn't even suspect. We hope our reports to members, in this publication and also on the state study page of our website (www.LWVNH.org), will have you talking about jails, sentencing, punishment vs. rehabilitation, and recidivism at the dinner table and in the coffee shop, as we have been doing.

Our study is scheduled to take nearly two years, with presentation of our position at state convention in spring 2011. Fortunately we gave ourselves plenty of time. However, the committee and state board have agreed that trying to cover everything in one consensus meeting would be impossible. Therefore consensus will be reached by our members in phases, with the first phase covering basic philosophy and also issues in the county houses of correction.

Local League study committees will read, research, and discuss the initial topics this winter. Members at large and those unable to participate in person in the study meetings can inform themselves by reading the articles mentioned above, and also by visiting or phoning their own houses of correction and their county commissioners. The more members learn, the more informed the consensus will be. Members at large will be able to take part in each phase of the consensus, probably by mailing responses to the state League office. More details on that process in the spring NHVoter. In March 2010 the steering committee will distribute the consensus questions for the first phase to the local League study groups and also post questions on-line for our other members. And all members are invited to our June 4 biennial council, which will feature a panel

From the President's Desk (continued)

The second phase of the study will focus on sentencing and courts. We would very much like to get your input on whatever you know about alternative sentencing, probation and parole, drug and mental health courts, and the public defender system. Anyone who has anything to share, even if only pointing us to printed resources or great websites, is encouraged to contact us. Phone the League office and leave a message, or email me (acting secretary for the steering committee) at LWV@kenliz.net.

Although much of this issue is devoted to our study of incarcerated women, your state board members have been active with our coalitions and are tracking state legislation on priority topics. We are also busy planning our annual Day at the Legislature and the May Quad State weekend. See details elsewhere in this issue. We look forward to seeing many of you at our spring events.

Liz Tentarelli, co-president

County Houses of Correction—Snapshots of Our Visits

“They’re setting us up for failure,” the young female inmate told us for the third time, her mouth set in an angry line. ‘They’ are the staff of the Sullivan county house of corrections, and her complaint was about the lack of intensive drug- and alcohol-treatment programs offered to inmates. We spoke with her and three other women inmates for half an hour and were greatly moved by their stories.

One woman, a 30-something mother serving time for her second shop-lifting offense, was in tears as she told us about her shame when her 11-year-old son asked her why she got in trouble again. She now fears losing her children to her ex-husband, who has custody while she is incarcerated. “I learned to shop-lift from my parents, and I need help to stop doing it. I’m not getting that help here, and I desperately want it.” She has found strength in the Bible study offered by outside volunteers, but she says she needs more.

An older woman, who had become a mother figure to some of the 13 female inmates at that HOC when we visited, is serving time for driving while intoxicated, not for the first time. Everyone who is taken to a NH house of corrections, whether immediately upon arrest or to serve a sentence of up to one year, goes through detox from drugs or alcohol if needed, but also cold-turkey from cigarettes, and at some HOCs, also from caffeine. Withdrawal is hard for many. When we asked the women whether they were feeling physically better, having gone through that withdrawal and being substance-free now, they looked startled and then thought about it before answering. One said, “Maybe I feel better physically, but being here is so tense and I feel so bad about myself for being here again, that I feel awful.”

The League study steering committee has visited seven houses of correction so far, and each one is unique. Two of them are in the construction phase of new facilities, including the above-mentioned **Sullivan County** site where a new minimum-security building will have room for programs. It will also house those inmates getting ready for re-entry, working in the community by day and coming back to the HOC at night for

ongoing treatment and support. Their new program director, Jane Coplan, has been warden of four NH prisons but came out of early retirement when she heard about the exciting transition program in its planning stages in Sullivan County. The new building will be done in June 2010 and the programs in place, too late to help the women pleading now for more treatment, job training and support to help them improve their decision making, but in time to help others and keep them from coming back again.

Cheshire County is also building a new house of corrections to replace its aged and cramped facility. Some of the men serving sentences in the facility now walk up the hill daily to work in the county nursing home or down the street to work on the county farm. But the women do not have that opportunity. They spend their day all in one unit, with double-bunked cells along one wall and a small adjacent day area with a TV and some chairs and tables. Meals are eaten in their unit. One hour per day they can use the small outdoor exercise yard, but in winter their exercise is very limited. The former gym has been converted to unit housing for 30 men, with bunks in rows across the room, like an emergency shelter. Two female inmates told us proudly they had earned their GEDs while incarcerated, and they spoke highly of a women's discussion group led by a trained volunteer. We admired drawings on the wall made by inmates in an art group.

When the new Cheshire HOC opens in March 2010, it will have room to separate the pre-trial female inmates from those serving time and from those with mental issues that make communal living so stressful. It will also be able to offer job training in computer skills and in culinary arts, among other things, as it will have its own big kitchen.

Strafford County's HOC was a breath of fresh air. This new facility opened in 2004. The superintendent invited a group of program people and staff to talk to us over lunch, and they enthusiastically told us how the new building enhances the programs offered. Here there does not seem to be a shortage of funds, because of their "boarders," inmates under federal jurisdiction, which brings in about \$6 million a year! We learned of the downside of housing federal prisoners, however, from our visit to another county HOC. A federal contract can be withdrawn at any time, little notice is given of federal inmates' arrivals or departures, and planning a budget dependent on these ambiguous conditions is difficult.

Merrimack County also has a new HOC, opened in 2005. The women's unit is divided into sections for new arrivals, for maximum-security inmates, and for the larger general population. The sections are visible to each other through glass upper walls, but each section has its own row of cells and dayroom. Meals are eaten in the dayroom of each section. In the general population room the inmates have access to a washer and dryer to do their own laundry. When overcrowding occurs, portable beds are placed around the edge of the day area. The cells themselves are really alcoves with no doors, which one inmate told us made her uncomfortable. She wishes there were some privacy.

One unique feature of Merrimack's HOC is the co-ed kitchen staffing. While the staff at the other HOCs emphasizes the separation of male from female inmates on work crews and at all other times, Merrimack's philosophy is that many of their inmates

(continued from page 3)

will go into restaurant work upon their release and they need to learn how to work cooperatively and avoid harassing behavior in order to succeed. Our impression on seeing the kitchen staff busily cleaning up after lunch is that the inmates there looked very relaxed about being in a nearly normal work environment for a few hours each day.

Grafton County officials at first refused our visit request, expressing concern about the overcrowding that might jeopardize our safety. However, a small group of Grafton county League members were allowed to visit this aging and cramped facility. A new HOC is planned, but is held up because of a court challenge. The superintendent expressed his wish to somehow make the state representatives see that “their opposition to a new facility places staff and inmates in continuous danger both environmentally and operationally” and that his “plans for inmate programs will reduce the likelihood that the same inmates will return to jail.” Women in Grafton HOC are not segregated by classification and spend their entire day, except for one hour of exercise, in conditions that one League member described as “grim.”

Carroll County's house of corrections has sections that were built over a number of years. *The women's unit does not allow for segregation by classification, so inmates spend 19 hours per day in their cells and are released into the dayroom area a few at a time. All meals are eaten in their cells. When we spoke with seven female inmates there, they vented frustration that the men have more time out of their cells, that they have access to a VCR for occasional movies but the women do not, and that mealtimes are scheduled so that they have no food from 4 pm until 6 am. Meals are prepared in the nearby county nursing home and brought to the jail where it is parceled out, but no explanation for the schedule was given to us.*

Each county's elected commissioners oversee its house of corrections, and each county's voters allocate funds for the corrections program. That means that in counties where a punitive attitude prevails, an overcrowded facility with no space or funding for programs will offer far less in terms of drug- and alcohol-treatment programs, little or no job training to help inmates support themselves upon release, and few if any work-release programs for inmates. Where the county officials and citizens see the need for programs to deal with addictions and to improve skills needed to make one's way in the world, the HOC staff can provide more resources. However, funding is always an issue.

The superintendents of the HOCs definitely set the tone. Two of them told us, in similar terms, that they don't punish people in the HOCs. Just being there is the punishment. Their staff's function is to provide “care, custody, and control.” Under direct supervision conditions, the unarmed correctional officers are in the units with the inmates, dealing face to face with those they are supervising, seeking their cooperation. It is not an easy job, and turnover is high for those who don't subscribe to the superintendent's philosophy. Several of the superintendents spoke to us proudly about their well-trained staff and the positive results of a less punitive atmosphere.

What of the unique challenges faced by female inmates in a house of corrections? Many of them are mothers, often single mothers. Their children may be in the care of a grandparent or a husband, or they may be placed in foster care. Missing their children is a big part of every day. Some make collect calls frequently to

maintain contact. But foster parents are not obligated to take the children to the HOC to visit with the mother, and the mother-child bond suffers. When visits with children are allowed, they are non-contact (with the exception of Strafford, Belknap, and Carroll counties. In Carroll HOC a room with tables and stools is used for visits and children's toys and books are available for parent-child play). In most, a telephone and a glass panel take the place of a hug.

Many of the women in the HOC are young, with the average age between 22 and 31. Many are victims of abuse who find the restrictions and rigid schedules in jail comforting, but feel unprepared to make the hard decisions they will face upon release. Women inmates feel proud of their accomplishments at the HOC, such as getting their GEDs. But programs to teach job skills are not available at every HOC, and women upon release are faced with children to support, rent to pay, and very limited job opportunities.

Healthcare is offered at the HOCs in various ways, but for some inmates it is the first real healthcare they have had in a long time. The HOC staffs try to determine chronic health needs within the first 24 to 48 hours and to issue appropriate medications. In addition, a mental health assessment is done early in someone's stay and counseling is available. Sometimes this is by contract with local agencies, sometimes by on-site staff. But volunteers offer most of the drug- and alcohol-recovery programs, as are some of the other self-help programs. Bible study groups run by volunteers were mentioned by several inmates we spoke with as programs that are changing their lives greatly. Unfortunately, space to hold these programs is at a premium in the HOCs that are overcrowded, and not everyone can participate.

Pre-release planning is a challenge for the HOCs. The staff would like to have each inmate leave the HOC with a detailed plan for follow-up drug or alcohol counseling, with medications to keep them going until they can fill doctors' prescriptions, and with a clear idea of where they will live and work. Unfortunately, the substance abuse programs often have wait lists or are expensive, and finding a place to live away from the people who may have led the inmates into illegal activities is difficult. Finding work with limited education and job skills is hard anytime, but especially in a recession with a criminal record. Another complication mentioned by one HOC superintendent is that when an inmate goes to trial, no one knows whether she will return to the HOC. The offender might be paroled, or she might be sentenced to "time served" meaning her stay in the HOC was long enough for the crime. In these cases she doesn't return to the HOC and no plan has been given to her. She is, in every sense, on her own.

County Houses of Correction—a quick look

New Hampshire is made of ten counties, each of which is responsible for running and funding its own nursing home, registry of deeds, sheriff's department, county attorney, and house of corrections. County funding comes primarily from property taxes within the towns of each county. Tax bills and town reports show what percent of one's property tax bill funds the county.

The county is managed by the elected county commissioners, a board of three. The budget must be approved by the county delegation, which is made up of the county's elected members of the NH House.

A Quick Look *(continued from page 5)*

The county house of corrections is usually the first stop for someone arrested for a misdemeanor or felony. Those arrested are held in the HOC until they are arraigned (usually a day or two), then may return to the HOC to await trial if they are not allowed bail or can't make cash bail. If convicted of a misdemeanor crime with a sentence shorter than one year, inmates serve their time in the HOC. Sentences longer than one year (felonies) are served in the state prison.

Female inmates are not housed in the Coos or Rockingham county houses of correction. Women arrested or serving time for misdemeanors in those counties are generally housed in Grafton, Carroll, or Hillsboro county HOC.

Some HOCs are new; others are old or use sections built at various times. The overall capacity as designed has been exceeded in some by reconfiguring spaces, such as a gym becoming a "dorm" setting. The capacity for female inmates may change depending on which unit is used for females. "Current" occupancy numbers are on the dates we visited the HOC, in fall 2009 or January 2010.

Belknap (Laconia) designed overall capacity 110. Buildings date from 1860 to 1989.

Carroll (Ossipee) designed overall capacity 131 (females 19). Currently have 13 females. Built in 2003.

Cheshire (Westmoreland), designed overall capacity 80 (females 15). Currently have 120 inmates, including 13 females. Built in 1983. New facility to open in spring 2010 in Keene with capacity of 257.

Coos (West Stewartstown), designed capacity 61. Does not house female inmates.

Grafton (North Haverhill) designed overall capacity 75 (currently have 128 inmates, including 8 females). Buildings date from 1898, with major renovation in 1988.

Construction of a new facility is being held up in a court case.

Hillsboro (Manchester), designed overall capacity 744 (females 92). Currently 555 inmates, including 44 females. Built in 1989.

Merrimack (Boscawen), designed overall capacity 236 (females 48), with possibility of expansion for another 48 inmates without expanding core facilities. Currently 235 inmates, of which 30 are female. Built in 2005. Adjacent older unit, built in 1983, is not currently used.

Rockingham (Brentwood). Does not house female inmates.

Strafford (Dover) designed overall capacity 392. Built 2004.

Sullivan (Claremont), designed overall capacity when built was 44 (females 14). Built in 1978, has been reconfigured to add more beds. Currently 13 female inmates. New adjacent building under construction, slated for June 2010 opening, to house pre-release minimum-security inmates (male and female units) and the community corrections program.

In most HOCs all visits are non-contact (Plexiglas or glass between inmate and visitor with a phone connection); in others visits are in a communal room with multiple inmates and visitors at a time. An unclothed search of inmates follows these contact visits.

To find out more about a county, Google the county name and New Hampshire and then Department of Corrections.

Day at the Legislature **Tuesday, March 2, 2010**

The LWVNH exciting, informative, interesting and popular Day at the Legislature is scheduled for March 2. Attendees will be briefed at the LWV office (4 Park Street, Concord), supplied with lists of the day's committee hearings and sent off to the State House to attend hearings of their choice. Veteran LWV legislative observers will be along to provide guidance to those needing direction.

- 9:00 Coffee and registration at 4 Park Street, Concord.
Briefing for the day's events
- 9:30 Walk to the Capitol or the Legislative Office Building for hearings.
- 12:00 Lunch and debriefing at Park Street. Our talented chef, Liz Tentarelli, will provide one of her spectacular lunches.
- : 12:30 Speaker - Cliff Below, former representative and senator
"How do you really pick your candidate?"

How Do You Really Pick A Candidate?

Despite the fact that League members carefully research candidate's views on issues, the ballot is full of names and NOBODY knows all of them. So, how do you choose? Is it because you have seen signs all along the highway? Or received brochures in the mail? Or does your eye go to the first names on the ballot or the top of the list? Research indicates that there is a primacy effect and that someone faced with a choice from among a group of items is inclined, even if only slightly, to select the first one offered. In New Hampshire, the means of ballot selection was alphabetical by column. The first column on the ballot was given to the party that had received the most votes in the previous general election.

In 2006 the NH Supreme Court considered the primacy effect and concluded the ballot order practiced in New Hampshire violated the state constitution.

The NH House is currently debating a bill that would provide a random ballot order for the state's general elections. Cliff Below has worked on a system to randomly order the ballots and actively participated in the court case of 2006

Cost for lunch: \$5.00 Reserve by emailing LWV@kenliz.net or call the League Office (225-5344) Tuesday, March 4 is a snow date. If you have any questions about weather on that day, call 763-9296

On street parking in Concord is virtually impossible. There is a parking garage between School (one-way going west from N Main) and Warren St. (one-way going East from State St.) Meters are available for 8 hours. As you exit the garage, follow the alleyway between School and Capital Street. Walk closely to the building to avoid traffic pulling into the alley. You come out on Capital Plaza. Cross the plaza and you are on Park Street. (A short 2-block walk)

Governor's Commission on Gam(bl)ing

Sally Davis is attending meetings of the Governor's Commission on Gam(bl)ing . Minutes can be found on their website as they are approved. (www.nh.gov/gsc/ then click on "Calendar" on the left side of the home page and select the date for the minutes you are looking for.) Although the Commission seemed very supportive of gambling revenues for solving the budget problems in the state, as the weeks have passed I hear members asking questions that indicate they have not made up their minds. The chairman is encouraging members to read materials, ask questions, ask for staff help and to make visits to gambling casinos. They have made "findings" which they shared in an interim report in December.

Results of a UNH gambling survey may be seen at
<http://www.nh.gov/calendar/documents/10091117.unh.pdf> . A second survey will be done this year.

Commission Meeting Calendar

January 19	Economic development, Branding
February 2	Meeting location to be determined Joint legislative hearing for members of General Court
February 16	Revenue/taxes/licensing/timing of revenue flow/where revenues would flow (general fund/HHS/education trust fund/etc.)/Regulatory considerations
March 2	Community Impacts (Housing, Education, etc.)
March 16	Social costs/addiction/etc. and Public Safety
April 6	Two Public Hearings, Locations to be determined Manchester/Conway Areas; time to be determined
April 20	UNH/Carsey Institute report (public dialogue sessions); UNH Survey report (Andy Smith); Summary report from Commission on site visitation committee; public hearing reports
May 11	Review of final report
May 25	Present final report to the Governor

During January, February and March, the Carsey Institute at UNH will develop and implement a process for public dialogue sessions on the question of expanding gaming in New Hampshire.

All meetings to be held at the NH Higher Education Assistance Foundation from 1-4. Minutes can be found on the NH Gov. website.

Action on Death Penalty Issues

At convention 2006 LWVUS adopted this position: “The LWVUS supports the abolition of the death penalty.” In pursuit of that goal we share this correspondence from the NH Coalition to Abolish the Death Penalty.

This is a critical year in the debate on the death penalty in New Hampshire because the legislature has enacted a commission to study the death penalty for the first time. The NH Coalition to Abolish the Death Penalty (NHCADP) is working to bring constructive and persuasive information to the study commission by identifying people who might testify before the commission. As part of that process, NHCADP is seeking closer ties with organizations that oppose the death penalty such as the League of Women Voters.

One focus of the NHCADP is the negative impact of the death penalty on murder victim family members. New Mexico and New Jersey recently abolished the death penalty, in large part because of the negative toll on victim family members and friends. NHCADP plans to bring murder victim family members, as well as police officers, prison wardens, exonerees, prosecutors, defense lawyers, and other death penalty experts to testify before the Commission about their experiences with the death penalty and the desirability of repeal.

It is also important to have concerned citizens in the hearing room when the Commission meets. All commission meetings are open to the public. The next hearing is scheduled for Friday, February 5th at 10 a.m., in the legislative office building. You can find more information at the commission’s website:

<http://www.gencourt.state.nh.us/statstudcomm/details.aspx?id=2009&rbl=1&chkcs=1&hksc=1&txtbillnumber=hb520>

We invite more League members to join NHCADP. It is easy to join and it is free. Go to www.nodeathpenaltynh.org and click on the “join us” link. You may also contact Katherine Cooper, the NHCADP manager at kcooper@nodeathpenaltynh.org or at P.O. Box 632, Concord, NH 03301.

Global Warming

The NH Energy & Climate Collaborative now has a coordinator, Stacey Doll, introduced in an announcement in December. Information about the NH Energy and Climate Collaborative can be found at their website at <http://nhcollaborative.org>. The collaborative is charged to follow progress on proposals to reduce NH’s contributions toward global warming.

Stacey Doll- NH Energy & Climate Collaborative Coordinator

Email: stacey.doll@des.nh.gov Phone: (603) 271-7777

Website: <http://nhcollaborative.org> <<https://owa.des.nh.gov/exchweb/bin/redirect.asp?>

Arms Control Update

“The League of Women Voters of the United States believes that arms control measures are essential to reduce the risk of war and increase global stability. Toward that end, the U.S. government should give the highest level of importance to arms control efforts that:

...limit or reduce the quantity of weapons;

...limit proliferation and prohibit first use of nuclear weapons;

...prohibit first use and possession of chemical, biological and radiological weapons;

...reduce tensions in order to prevent situations in which weapons might be used.

As a long-term goal the League supports the world-wide elimination of nuclear weapons. The League lobbied from 1997 until 1999 for ratification of the Comprehensive Test Ban Treaty (CTBT) which failed to get Senate approval.”

Impact on Issues 2008-2010

Advocates of arms control were energized last May when President Obama in his Prague address said “Today I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons.” He added that his administration “would immediately and aggressively pursue U.S. ratification of the Comprehensive Test Ban Treaty.” (CTBT)

LWVUS has formed a task force to review its 1983 Arms Control position for “relevance, usefulness, and practical application.” The Task Force finds the principles and language of the position to be “broadly applicable today”. However it anticipates some revisions once its deliberations are complete.” (See LWVUS web site for up-to-date information on the Task Force.)

On December 5, 2009 the Bilateral Strategic Arms Reduction Treaty, between Russia and the US and in force since 1994, expired. The US and Russia are finalizing a renewed START which would reduce warheads down to 2,000 on each side This follow-up to START will be taken up by the Senate early in 2010. The President has also pledged to resubmit the treaty. To date, 182 countries have signed the treaty and 151 have ratified. The US signed the treaty in 1996 but the Senate failed to ratify it. Many of the objections at that time have been more than met by technological innovations. CTBT supporters now include former Secretaries of State George Schultz and Henry Kissinger, former secretaries of Defense Harold Brown, Melvin Baird and William Perry and former Chairmen of the Joint Chief of Staff Generals Colin Powell, John Shalikashvili and David Jones. A recently released report of a high level scientific panel states that neither nuclear tests nor new warhead designs are needed to maintain safety and reliability of the U.S. nuclear weapons stockpile.

Dr. Siegfried Hecker, former director of Los Alamos National Laboratory, has written, “The single most important reason to ratify the CTBT is to stop other countries from improving their arsenals. China, India, Pakistan, North Korea and Iran. We gain substantially more from limiting other countries than we lose by giving up testing.”

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Save These Dates

Friday, June 4, in the Hopkinton area. LWVNH Biennial Council. Business will be kept to a minimum so that we can learn more about the penal system in NH from a panel of experts, including county house of corrections staff, state prison staff, and judges. More details in the spring NHVoter. Lunch will be served.

May 22-23, in Wells, Maine. Quad State workshops on the theme of “The League in a Changing World.” All members are welcome to attend, just for Saturday or stay for the weekend and attend all the workshops. Details in the spring NHVoter.

