

Fall 2009

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Presidents' Message

Sometimes two heads are better than one. In the case of the presidency of the LWVNH, Sally Davis and Liz Tentarelli have taken this to heart and are sharing this position.

So who is doing what? We both encourage our members to contact the state board with questions or concerns, so here is a general idea of which president you want to talk with:

Liz will set agendas and run the state board meetings and the annual council/convention meeting. She will also communicate with LWVUS as needed.

Sally will participate in the online LWVUS presidents' listserv and usually be the one to respond to LWVUS action alerts in the name of the League. Sally will also try to stay in contact with local Leagues, so she encourages local Leagues to send her their newsletters and keep her informed about upcoming events. And Sally will continue to follow legislation and either speak for the League at legislative hearings or appoint someone to present the League's position.

Both of us hope we'll be able to attend occasional local League meetings to lend our support, and we both will participate in Quad State presidents' meetings. We also both check the office messages several times between board meetings and take action as needed.

Of course other state board members play a big part in keeping us running. Past president Jane Armstrong will take over keeping the membership database up to date. Our new secretary Marilyn Lieto and new treasurer Mary Perry have already been put to work on their assignments. Peg Fargo, so much more than a vice-president, has gotten the state study steering committee up and running (see her excellent article elsewhere in this Voter). Finally, appreciation is always in order for Ginny Higgins, our long-time Voter editor.

State board meetings are posted on the League's website, and members are always welcome. Come share your ideas in person or via email thru the website. LWVNH is your League.

Liz Tentarelli and Sally Davis Co-

New Study Adopted at LWVNH Convention Impact of Incarceration of Women in New Hampshire

What's the difference between a misdemeanor and a felony?

Where are women incarcerated in New Hampshire?

How many women are incarcerated?

What's an alternative to incarceration in New Hampshire and is it important?

Should women be treated differently from men while incarcerated?

Do women face different challenges while incarcerated?

Questions like these will be the focus of local and state committees during the coming two years as the LWVNH embarks on a new study. At the LWVNH convention in May 2009, delegates voted unanimously to adopt a new two-year study. The scope of the league study will look at the physical aspects of incarceration, the supervision of the women, the rehabilitative services offered, the programs to develop new skills, familial issues, sentencing, pre-trial, appeal process, re-entry support for women as they complete their sentences, and fiscal issues.

A state study committee formed over the summer and has already begun to delve into this complex issue. Committee members include: Liz Tentarelli, Eddi Mordecai, Ginny Higgins, Margery Bostrom and Candie Reynolds from the Kearsarge-Sunapee LWV; Margaret Powell, Estelle Diamond, Alice Conkey and Marilyn Lieto from the Upper Valley; and Karen Davies, Mary Perry and Peg Fargo from the Greater Capitol Area.

Each of the local leagues will form their own committee giving every league member an opportunity to participate in the study. Leagues may be having speakers or enclosing articles in their newsletters. The state committee will include material in each state Voter and material will be posted on the league website lwvnh.org. The league will study from summer 2009 until December 2010, with a consensus to be taken during the winter of 2011 and any resulting position to be adopted at the annual League convention in June 2011.

Get started!

Women Behind Bars - Dec 2008 by the NH Women's Policy Institute and *Double Jeopardy* - December 2004 by the NH Commission on the Status of Women are two up-to-date reports which provide an overview and are available on our website as pdf files.

Where are women incarcerated?

In 1810 the New Hampshire General Court allocated \$8,000 for the construction of a stone prison in Concord. From 1880-1941 the few women that were imprisoned were kept in the South Wing of the prison. In 1941, the legislature authorized the transfer of female offenders to the Women's Reformatory in Vermont. When the Vermont Reformatory closed in 1967 women inmates from NH were sent to the

Massachusetts Correction Facility in Framingham. A few were left in county jails.

During the 1980s concerns were expressed about the conditions in the Massachusetts facility and the lack of program opportunities. That, coupled with the distance from the women's families and especially their children, led to a lawsuit in 1983 against the State of NH and the NH Department of Corrections that the state would be required to provide facilities for women under the "equal protection" clause of the 14th amendment to the US Constitution. This landmark case, the Fiandaca case, was found in favor of the plaintiffs (the women offenders). Finally settled in 1987, the court said that the conditions of confinement, programs and services available to New Hampshire female prisoners were not on par with the conditions, programs and services afforded male inmates at the NH State Prison. As a primary remedy, the court ordered the state to establish "a permanent facility comparable to all of the facilities encompassed at the NH State Prison...to be inhabited no later than July 1, 1989."

This led to the renovation of a corrections facility in Hillsborough County which became the Goffstown Prison for Women, the only NH prison for women who are convicted of felony crimes with sentences of more than one year. (Strafford County also houses perhaps as many as 20 women who could be at Goffstown but there is simply no room). The building is an old building and does not provide adequate space. It has become increasingly overcrowded with an inmate count of 140 while the building is rated to serve no more than 100. Recreational space has been turned into dormitory space and there is little available program space.

If women are sentenced to one year or less, they may be incarcerated at a county house of corrections. Eight of our ten NH counties house women: Hillsborough, Sullivan, Grafton, Merrimack, Belknap, Carroll, Cheshire and Strafford. Coos and Rockingham contract with other counties for the incarceration of women from their counties.

The numbers of women incarcerated are growing faster than their male counterparts. While NH has a low rate of women incarcerated compared to the general population, the numbers of women incarcerated in NH is among the fastest growing in the US. Part of this may be due to a shift to stricter sentencing laws in the 1990s in NH, possibly done to act as a deterrent to the increasing use of drugs. Those sentencing guidelines helped create the overcrowding of the correctional facilities, both for male and female.

Types of offenses

More complete information on the NH Criminal Code on the website (see link to NH government RSAs index).

Felony. A class A felony is a crime for which the maximum penalty, exclusive of fine, is imprisonment in excess of 7 years. Examples of class A felonies are: murder, armed robbery, manslaughter, theft, manufacture or sale of serious drugs such as cocaine or heroine, possession of cocaine or heroine (if a second offense), or first degree assault.

A class B felony is a crime for which the maximum penalty, exclusive of fine, is imprisonment in excess of one year but not in excess of 7 years. Examples are: manufacture or sale of less than 1 ounce of marijuana, possession of cocaine or heroine first offense, aggravated DWI, robbery, or second degree assault.

Misdemeanor. A class A misdemeanor is any crime for which the maximum penalty, exclusive of fine, is imprisonment not in excess of one year. Examples include: conviction of a 3rd DWI, simple assault, theft (if the value does not exceed \$500)

A class B misdemeanor is any crime for which the maximum penalty does not include any term of imprisonment or any fine in excess of the maximum provided for a class B misdemeanor in NH under RSA 651:2.

Violation. Is any offense defined for which there is no other penalty provided other than a fine or fine and forfeiture or other civil penalty. Example: speeding and parking violations.

New Hampshire has also paid attention to the possibilities of alternatives to incarceration and the legislature has developed a series of statutes to include a variety of options for sentencing. The next report will include more information on alternative sentencing programs, answering the question - are there programs available in all areas of the state that would allow the use of the alternatives for incarceration?

Who is incarcerated?

In 2008, there were 430 women behind bars in New Hampshire, plus another 1,450 under correctional supervision. Also 960 women were released from county houses of correction at some point for a total of 2,850 women convicted of criminal offenses and under state supervision.

(Women Behind Bars, Dec. 2008)

Women have unique characteristics that may take them down the “path of criminality.” Using national statistics which mirror available NH information, approximately 2/3 of the female inmates are the prime caregivers of their children, usually 2-3 children, and at least 45% are single mothers. Over 50% were unemployed at the time of arrest, 80-90% indicate problems with substance abuse, over 60% state that they have had previous diagnoses of mental illness, and suicide attempts are also reported. Poverty, mental illness, substance abuse, limited education and a history of a troubled past of physical, emotional or sexual abuse in childhood or adulthood are all factors found within a significant portion of incarcerated females. This history may bring females into contact with the criminal justice system at an early age due to running away, involvement in street living - prostitution, shoplifting and selling drugs. Women are less likely to commit violent offenses and are more likely to have been involved in alcohol, drugs or property offenses. Women may spend more time in jail because they are less likely to have bail money or money for an attorney and may be lacking in family supports.

(Women Behind Bars; Double Jeopardy' US Department of Justice: Women in Jail, 1987; Center for Therapeutic Justice, 2000)

Has the Engine Stalled on the Track?

The NH Rail Transit Authority has been working on a project, which originally would have provided commuter rail service between Nashua to Lowell, Mass where passengers could change trains and go straight to Boston. The project was in the final planning stages when the recession hit and the state budget's deficit was growing.

Coupled with President Obama's support for the development and expansion of high speed rail and inter-city rail and the American Recovery and Reinvestment Act, the federal government will set aside \$8 billion a year over the next 6 years and \$500 billion for inter-city and high speed rail over the next 10 years. That sent the Rail Authority back to the drawing board and their project developed during the spring of 2009 was expanded. The new project would be a rail line from Boston, Mass to Concord with stops in Nashua and Manchester (including a stop at the Manchester Airport).

In August, the state will submit a request for \$3 million in planning money ($\frac{1}{2}$ must be matched by the state) and in October will submit another request for over \$200 million which would upgrade tracks, buy rail cars, signals and stations. The glitch in this plan is that New Hampshire does not own the right of way and the tracks. The tracks for the line are already in place and are currently used for freight transport to the Bow Power Plant. Pan Am Railway, the owner, has opted out of an agreement that the state could develop this rail line. One important component of the grant application is that signed agreements must be in place by all parties.

While New Hampshire might not succeed in this first round of grant applications (there are already \$101 billion of grant requests submitted and only \$8 billion to distribute) the NH Rail Transit Authority will continue working to resolve the issues and be ready for the next round.

Public Funding of Elections in New Hampshire A Recap of HB513

The issue of public funding of elections in NH had a tortuous legislative journey through the General Court in Concord last session. But the final result is a bill, HB513, which creates a Task Force to write a comprehensive bill allowing publicly funding of elections. HB 513 passed the Senate and House in June and was signed by the governor on July 16th.

The Task Force will be made up of two senators, three representatives, two members of the previous commission and two members representing organizations supportive of public funding. As this article is being written, the appointments are not yet made but the task force should be meeting by September 16.

Once the task force starts meeting, the Coalition for Open Democracy in which the League is an active member plans to follow its progress and to get New Hampshire citizens (that's you!) active in promoting this most important of all reforms. Say tuned for action.

Helping Our Young Leaders

Last spring we received a request from an impressive young woman, a high school junior in Dover, seeking the League's help in funding her trip to the Girls' Leadership Workshop at the Eleanor Roosevelt Center in Hyde Park. We had a little money in our budget left over from Convention and sent a check to the program. Below is part of Megan's report on her experience.

We would like to be able to help other young people in the same way, when the opportunity arises. To that end, we will set up a line item in our budget for monies donated by League members to be used to fund such requests. If you would like to donate to this, please send your check, made out to LWVNH with "donation" in the item line. Mail it to LWVNH Treasurer, 4 Park Street Suite 200, Concord NH 03301

Megan reports: "I have returned from the Girls Leadership Workshop and I must tell you it was a life-changing experience. Throughout the nine-day program, I bonded with 28 other girls with whom I plan to remain in close contact. We went through nearly 65 hours of workshops including Public Speaking, Challenging Bias, Diversity, American Women's History, and many others which conveyed the leadership style and legacy of Eleanor Roosevelt. She was truly a remarkable woman, and through the Girls Leadership Workshop, I have been inspired to change the world for the better. We extensively studied the Universal Declaration of Human Rights and researched human rights violations across the globe. Twice we visited New York City and while there, we toured the United Nations and listened to a panel of successful women, ranging from a political candidate to a public health advocate, who spoke about how they attained their jobs. We dined with distinguished guests, including Eleanor's great-granddaughters and other successful and admirable women.

I'd like to thank you once again for your generous donation towards my attendance. Should you be approached with similar requests in the future, I strongly encourage the same response, as the tools and knowledge I gained in this workshop are sure ingredients to my future success as a female leader."

Dues are Due.

New Hampshire League members at large will shortly receive their annual dues notice. Local Leagues have also sent dues renewal notices to local members. Local treasurers join us in urging you to pay dues promptly, as we must make the annual per member payment to LWVUS. In addition, any extra donation you send with your renewals will be much appreciated by your local or state League and will be put to good use.

Members at large may send their \$40 (for two people in the same household it's \$55) renewal to: LWVNH Treasurer, 4 Park St. Suite 200, Concord NH 03301
Mary B. Perry, treasurer.

**LWVNH 90th Birthday Celebration
Saturday, October 17, 2009**

**Red Blazer Restaurant
Manchester Street, Concord
12:00- 2:30**

You're invited and it won't be a celebration without you!

The League of Women Voters of New Hampshire was formed in November 1919 while the national League was not formed until February 1920. To celebrate our 90 years of providing voter service and community involvement in issues that surround our lives both at the local, state, national and international level, come to lunch and enjoy the comradery of league members and friends. Local leagues may display pictures and items from their history and league members will share memories of league in times past.

We have invited the Governor and several other elected officials and friends. The NH Humanities Council is providing a program done by noted living history presenter, Sally Matson, who "becomes" Susan B. Anthony. She recounts her journey across the country as she works for women's suffrage.

A reservation form can be found on the opposite page. If you know of a past league member who might like to come, please send this invitation along.

LWVUS "Virtual" Council

On June 13, 82 delegates representing 44 states, the District of Columbia and the Virgin Islands, attended the first LWVUS "virtual" Council. I had the honor of representing LWV New Hampshire, and I could do it from the comfort of my desk chair.

Traditionally Council is held in alternate years, a much smaller affair than the biennial LWVUS Convention. Each state is allowed two delegates. This year, to save costs and make sure that each state could participate, LWV Council was held over the Internet. And it worked! LWVUS reports that in addition to the regular delegates, who could "raise their hands" online and participate via phone in the discussion of budget and proposals, "there were observers from 26 different locales also participating in Council 2009. Based on evaluations received so far, 140-240 people watched/participated in the Council. This is many more than traditionally participate in 'regular' Council, and this number is likely to grow as more evaluations are received!"

Although I missed the opportunity to meet other state presidents in person, I was able to vote on the budget, to vote for a streamlined proposal process, and to respond to a discussion of our healthcare position, all while sitting at home and sipping iced tea... Welcome to the League in the 21st century.

Liz Tentarelli, LWVNH co-president

To reserve your place at the Birthday Celebration, please complete this reservation form and return it with your check to: LWVNH, 4 Park Street, Concord, NH 03301.

I plan to attend the 90th celebration of the League and I have enclosed my \$20 (includes tax and gratuity) for the luncheon.

Luncheon choice:

- _____ Prime Rib
- _____ Pastry Baked Chicken with Cranberry Orange Glaze
- _____ Baked Stuffed Haddock

And of course, we will have a special birthday cake!

Name _____ Phone _____

Address _____ Email _____

League of Women Voters of New Hampshire

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Study Materials Inside