



GOLD STANDARD



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SENATE SESSION - MONDAY, JUNE 29, 2020

HB 687, relative to extreme risk protection orders.

HB 687

Judiciary: OTP 3-2

ANTI-LIBERTY: This bill allows personal property, including firearms, to be taken when no crime has been committed.

NAY
OTP

- This bill eliminates traditional due-process protections prior to search and seizure of personal property.
- The bill violates the 4th Amendment protections under the US Bill of Rights and Article 19 of the NH Bill of Rights: "[Art.] 19. *[Searches and Seizures Regulated.] Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions.*"
- The language in the bill allows for hearsay 'evidence' to be admitted into the trial violating Article 15: "[Art.] 15. *[Right of Accused.] No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him;*"
- The respondent will be stripped of personal property and will need to spend time and money via the court system for return of the property without having committed a crime.
- Under this bill, courts are not bound by the traditional rules of evidence typically given to the defendant. (159-E:3 IX)