



April 30, 2024

Honorable Chair Sharon Carson
Senate Judiciary Committee
State House Room 100
107 North Main Street, Concord, NH 03301
RE: NAMI NH Support for HB 1020

Dear Chair Carson and Committee Members:

Thank you for the opportunity to testify today. My name is Holly Stevens, and I am the Director of Public Policy at NAMI New Hampshire, the National Alliance on Mental Illness. NAMI NH is a non-profit, grassroots organization whose mission is to improve the lives of all people impacted by mental illness and suicide through support, education and advocacy. On behalf of NAMI NH, I am here today to speak in favor of HB 1020, establishing a committee to study restoration of competency.

New Hampshire currently lacks any formal restoration process or system to provide treatment for individuals who are found not competent to stand trial. For these individuals, the mental health court system isn't even an option because those programs require consent, which a person who is deemed incompetent cannot give. They also require an understanding of the criminal and judicial processes, which a person who is deemed incompetent does not have. Nationwide, about 81% of individuals found not competent to stand trial have their competency restored and are able to return to court. In stark contrast to these national numbers, in New Hampshire, fewer than half of the individuals ordered into a competency restoration period are able to return to court and complete their criminal case. Specifically, in 2019, only 44% of individuals were found to have their competency restored.

In NAMI NH's experience in working with the families and loved ones of a person who has been found not competent to stand trial, these gaps in our system are lost opportunities. If competency has not been restored within a year, the criminal charges are dropped, whether or not the justice involved individual has sought or received treatment. NAMI NH has heard that many times these individuals go on to become homeless, involved in other criminal behavior, or have any number of other negative life outcomes. Having more formal systems in place would allow for additional treatment opportunities that do not exist today.

Reflecting on 40 Years: Continuing Our Journey to Hope, Help, and Health

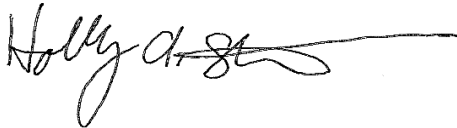
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In addition to the person who has been deemed not competent to stand trial, there are times when the crime committed involves another person. When competency is not restored and the charges are dropped, the other person never receives any kind of closure since the criminal court case does not go forward. Having a more formal competency restoration process in our state will ensure that more individuals receive the justice and closure that they need and deserve.

HB 1020 would establish a committee to study restoration of competency, allowing our state to explore various systems to figure out what is the best fit for New Hampshire, with the goal of connecting individuals with drastically needed services. Therefore, NAMI NH urges the committee to vote ought to pass on HB 1020.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly A. Stevens", with a long horizontal flourish extending to the right.

Holly A. Stevens, Esq.