

STRAFFORD

Tom Velardi (D) (*Incumbent*)

1. The number of incarcerated individuals in the United States is staggering when compared to other developed countries. Mass incarceration has been happening for generations, and its roots lie in many places. While prosecution has contributed to the issue, or at least perpetuated its existence, prosecution itself, as a discipline, has not “contributed significantly” to mass incarceration. Prosecutors in New Hampshire are confined to apply the law to facts to reach a fair resolution of cases. Fair resolutions, in turn, are governed by the prosecutor and the defense attorney having choices to make when fashioning a proposed resolution. Just as it is wrong for prosecutors to scream “maximum sentence” for every offender, it is equally wrong for defense attorneys to say “no time” for every offender. This unfortunately is the dialog in places where there are no reasonable alternatives to traditional case resolutions – that is – jail or prison. Alternatively, when a local criminal justice system offers prosecutors and defense attorneys a robust and meaningful panoply of incarceration alternatives, such a drug courts, veterans courts, mental health courts and others, I have found that prosecutors use those alternatives to incarceration. In the twenty years that I have been a prosecutor in New Hampshire, I would say that prosecutors are part of the mass incarceration issue only because of lack of reasonable alternatives that offer safe and effective options other than incarceration. Thus, it is a shared responsibility between the executive and legislative branches, in conjunction with the judicial branch. The fact of the matter is, we can all do a better job of incarcerating only those people who are a danger to themselves or others in the community, while making sure to keep in the community those offenders who will not engender themselves or others.

2. Yes. I continue to be on statewide committees that look at enhancing bail supervision programs to create and strengthen bail release programs. In Strafford County, I created the Habitual Offender Academy which allows for non-impaired drivers to seek immediate supervised release and begin work on re-establishing their lawful driving privileges. This was at a time when driving while certified as an habitual offender called for a mandatory a one year house of corrections sentence. This program, instead of incarcerating people up for a year, has helped dozens of men and women who drove illegally, in order to work and feed their families, get their licenses restored and become de-certified as habitual offenders.

3. Yes. The Strafford County Attorney’s Office continues to run an adult felony diversion program for first time offenders who we deem are unlikely to return to the criminal justice system. I personally sit on the Strafford County Adult Treatment Court as a team member each week. And I am a founding member and team member of the Circuit Court Mental Health Court in Rochester.

4. Yes. In the past I have met with any group who asks for my presence, including many different groups and clubs on the UNH-Durham campus whose goals are to discuss racial and gender disparities in the criminal justice system. I regularly attend community forums and citizen academies as well, to better understand what constituents expect from their local criminal justice system. Listening is the first step towards effecting system change.