

STATE SENATE

Northern-border woes cited in anti-sanctuary city debate

■ Senate passes new minimum mandatory prison terms regarding fentanyl.

By Kevin Landrigan
Union Leader Staff

CONCORD — Concern over unlawful entry and drug trafficking at New Hampshire's northern border prompted the state Senate Thursday to endorse minimum mandatory prison terms for those selling deadly fentanyl.

It also had senators backing a requirement to have communities order their local police to give their "best efforts" in working with federal immigration authorities.

Senate Assistant Democratic Leader Becky Whitley, D-Hopkinton, noted the police chiefs in Manchester, Nashua, Dover, Portsmouth, Merrimack and Hudson all opposed the ban on sanctuary policies (SB 563).

"The data is clear. Immigrants commit far less crime than our native-born counterparts. Those are the facts and we can't allow fearmongering to distract us," Whitley said.

Senate President Jeb Bradley, R-Wolfeboro, stepped down from the rostrum to speak in favor of the bill.

Bradley warned that without it, New Hampshire communities could become a magnet for a large influx of illegal immigrants as seen in New York, Boston and

other major American cities.

"It is not fearmongering to talk about these problems; it is reality. I am sorry to say it, this is reality," Bradley said.

Later he added, "You want to stay the safest state in the nation? Do what it takes and that means pass this bill."

The Senate initially approved the bill, 14-10, with all Republicans in support and all Democrats against. The bill was then sent to the Senate Finance Committee for more review.

Hanover, Lebanon and Harrisville have "welcoming ordinances" that do not require law enforcement officials to cooperate with federal officials who have a request to detain someone believed to be here illegally.

Police chiefs' letter

In a letter to the Senate, the six police chiefs wrote in part, "this policy easily could keep local police from the important work they do preventing, investigating and prosecuting serious state crime."

Opponents said police generally work with federal officials when they have someone in jail for a state crime who's believed to be here illegally, but they should not have to provide information about someone who is the subject

of a civil immigration detainer.

"The communities that you are purporting to save, they don't want this. They don't want this," Whitley said.

Gannon: Sanctuary policies have deadly consequences

Sen. Bill Gannon, R-Sandown, said critics are ignoring that cities holding themselves out as sanctuaries have had deadly consequences, citing illegal immigrants accused of murders off the campus of the University of Georgia and in Seattle, Washington.

"Policies like these have proven disastrous across the country; they are safe havens for criminals," Gannon said.

Sen. Lou D'Allesandro, D-Manchester, said the state has a tradition of local police working with legal-immigrant advocacy groups, and this bill puts at risk that cooperation.

In a related matter, the Senate passed, 14-10 and sent to the House a bill to permit landowners with property in current use to post no-trespassing signs for those using it for other than recreational purposes.

Sen. Carrie Gendreau, R-Littleton, authored the bill on behalf of residents along the northern border concerned with people illegally crossing over from the north.

The legislation (SB 504) makes clear it's illegal to trespass on the land for the purpose of coming

into the country illegally or engaging in drug or human trafficking.

The Attorney General's Office sought the change on behalf of the Northern Border Alliance that has \$1.4 million to boost law enforcement patrols within a 25-mile radius of Canada.

Whitley: Anti-trespass bill could lead to profiling

Whitley charged this could prompt police to improperly stop for questioning those on land simply "because individuals looked like they were not legal citizens of this country."

During several hours of debate, senators backing tougher punishments for fentanyl drug dealers cited growing amounts of illegal drugs confiscated at America's northern border.

"We need to send the message, and that is if you are going to bring fentanyl into the state and distribute it, you are going to face a harsh penalty," Sen. Daryl Abbas, R-Salem, said.

Sen. Shannon Chandley, D-Amherst, said these mandatory minimum prison terms do not act as a deterrent for illegal drug use and end up clogging the state prison system and costing taxpayers even more.

"If the likelihood of death (from using fentanyl) does not discourage a person from using, why would we think a tougher sentencing of imprisonment would

cause a person to reconsider in that moment of using it?" Chandley asked rhetorically.

The Senate approved three bills imposing new mandatory minimum sentences for fentanyl-related offenses:

- Intent to Distribute (SB 316): This would create a five-year minimum for those caught with a dose of fentanyl with the intent to distribute it to others; it would also permit the state to seize the car used to carry out a drug distribution deal. The Senate passed it, 14-10, along a party-line vote with no Democrats in support.

- Death of Another (SB 414): A 10-year prison term would result for anyone selling fentanyl that resulted in the death of someone else. Senate Democratic Leader Donna Soucy of Manchester, Sens. David Watters, D-Dover, Debra Altschiller, D-Stratham, and D'Allesandro, joined all Senate Republicans on that one, which passed, 18-6.

- Possession Crimes (SB 415): Someone caught with at least five grams of fentanyl would face at least three and a half years in state prison and that would go up to a seven-year minimum for possession of 28 grams. The Senate passed that bill by the same 18-6 margin.

All three bills now go over to the House of Representatives for its review.

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Parole

dropped Harmony off with her mother in Massachusetts around Thanksgiving 2019 and hadn't seen her since.

Montgomery told the board she wasn't honest with detectives during an extensive search for Harmony, whom she said she hadn't seen in two years.

"I got all caught up in the situation," Montgomery said. "If I was just honest from the beginning, they could have done their job sooner."

The truth would have helped police "to find Harmony and know what happened to her."

Montgomery entered the hearing upbeat and friendly, but the line of questioning elicited a range of emotions. At one point she leaned back in her chair and took a deep breath.

"I am nervous right now and anxious," she said. "I am trying my best to concentrate."

Montgomery told the board that while growing up, she wanted to be a veterinarian, and she still hopes to pursue that goal.

"My recovery is No. 1 and just keep doing the right thing," she told the board.

Board member Tricia Thompson offered encouragement to Montgomery about life outside of prison, especially working with a parole officer.



Michelle Raftery, who was a foster mother for Harmony Montgomery, reacts to Kayla Montgomery being granted parole at her hearing at the New Hampshire Correctional Facility for Women in Concord on Thursday.

"They're there to help you. They're there to guide you," she said. "They are not there to get you back in as fast as they can get you back. You need to use them as a resource."

Montgomery has three children with Adam, who are in the custody of the state and have been living with her mother, Christina Lubin. She also has an older son from a previous relationship.

"I ended up losing my rights to them for the crime I am connected to," Montgomery said.

Relationship with kids

Montgomery said she appealed a judge's decision to grant custody to the Division of Youth and Family Services.

"The (police) affidavit got out and I believe they used it against me," Montgomery said.

While in prison she has made blankets and pictures to send to the children. She said she took courses on parenting and healthy relationships and meets with a support group.

In prison she took courses on journaling, family

connections and "Choose Love," a social emotional learning and character development program.

Montgomery was removed from the Focus Unit and had to wait to return after "cheeking" medication — hiding it in her mouth rather than swallowing it. The Focus Unit is for inmates with diagnosed addictions.

She admitted to the panel that trying to hide the medication amounted to lying.

"I wasn't in the right headspace, and I just didn't care at that time," Mont-

gomery said.

She is in a Medication Assisted Treatment program, taking Suboxone to treat her opioid addiction.

"I have the tools that I am actually taking seriously and actually working on myself," Montgomery said.

Montgomery said in prison she has learned to not to hide anything and not be afraid to ask for help.

Board member Horace Henriques noted Montgomery hadn't faced any disciplinary action since July. She had to complete "extra duty" hours, including shoveling snow and cleaning windows and workout rooms.

On Feb. 22, a jury of 10 women and two men found Adam Montgomery guilty of second-degree murder, second-degree assault, abuse of a corpse, falsifying

evidence and witness tampering.

Kayla Montgomery testified that Adam Montgomery repeatedly struck Harmony after a bathroom accident in the car they were living in on Dec. 7, 2019. Kayla Montgomery testified the couple discovered the little girl had died after the car broke down. Adam Montgomery went to great lengths to hide his daughter's body. Kayla Montgomery said she lied out of fear.

Harmony's remains have not been found.

Michelle Raftery, who was Harmony's foster mother in Massachusetts, attended the hearing but did not speak. She declined comment outside the prison.

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Bill

court rules, which compel offenders to be present through most of their proceedings, Shurtleff said.

Shurtleff said the measure would require the offender to be there for the initial sentencing hearing, though it would permit either prosecutors or defense lawyers to ask the judge to allow the offend-

er to be absent for "just cause."

The House voted, 286-67, to let in the bill, meeting the necessary two-thirds majority to consider a new bill after deadlines pass for bringing new legislation.

If passed, the bill would apply to all felonies that carry a state prison term of 7 1/2 to 15 years.

NH Winter

Around noon, we enjoyed lunch from the slopeside deck, lounging in a couple of Adirondack chairs, and watched a few youngsters riding the Cubby magic carpet surface lift, a prime spot for those just starting out.

I appreciated the laid-back feel of King Pine, and though it's not a place I frequent, the charm and character of the mountain made me feel right at home — like it was, in fact, my home mountain.

During this short reprieve, I chatted with Ellen Coughlin-Quinn and friends, a group who started skiing during the pandemic. "We were looking for an affordable, family-friendly mountain," she said. "And we ended up here."

Most in the group — kids and adults alike — learned how to ski at King Pine. "We didn't think we were going to be a ski family, but here we are," Coughlin-Quinn said. "And we converted a non-ski family, too," she added, pointing to her friends across the table.

Coughlin-Quinn appreciates how manageable the mountain is for all ages. "The kids can go off and be independent. Sitting at the base, we can see them occasionally and know they're safe. And they feel like big kids."

Of the five kids in the group, three take seasonal lessons on Saturdays, which Coughlin-Quinn found very affordable.



Ellen Coughlin-Quinn, back row, second from the right, poses with her crew near King Pine's lodge.

"They're learning to ski, but not breaking the bank."

Her son Peter, one of the kids enrolled in lessons, recently started hitting natural jumps off the sides of the trails. He finds one feature at King Pine the most fun. "And I can ski by myself," he said.

Asked their trail of choice, three kids voted for King Pine, a polar intermediate trail that parallels the Solart Bear triple chairlift before opening up onto the wide East Slope trail to the base.

Annie Quinn, one of the youngest in the bunch, liked Scotch Pine the best, a windy beginner trail that meanders down the south side of the mountain, a short cruise that I enjoyed multiple times.

Although the crew is smaller this year, they often bring friends from home out for a day on the slopes. In fact, they've already celebrated a few birthday parties on the mountain.

"It's so nice to be outside all day," said Beth Coughlin, Ellen's sister. "We are outside all day in the summer at the beach, but in the winter it's sometimes harder to be outside, and it's a great mountain that you can do that."

Operated by Purity Spring Resort, King Pine also offers ski and stay packages, making a weekend ski vacation convenient and affordable. For information, visit purityspring.com/offers.

Spring ski deals

King Pine

- **\$20 Tuesday Nights:** On Tuesdays, Twilight lift tickets (3:30 p.m.-8 p.m.) cost \$20. Ski and snowboard rentals on Tuesdays also are \$20. Trail's End Tavern offers two pizza slices and two draft beers for \$20.

- **Spring Fling Special:** Every Wednesday in March, buy one full-day lift ticket and get one free. Tickets must be purchased in advance online.

- **March Madness Special:** Every Thursday in March, get two half-day lift tickets for \$68 and ride from 1:30 to 6 p.m. Tickets must be purchased in advance online.

- **Saint Patrick's Day:** All afternoon half-day tickets are \$17 on Sunday, March 17. Tickets must be purchased in advance online.

Other locations

- **Cannon Mountain, Resident Wednesdays:** Every Wednesday, lift tickets are \$45 for state residents. ID is required, and tickets must be booked in advance.

- **Ragged Mountain, Half-Day Sundays:** State residents with valid ID can ski or ride for \$62. Available from noon to close.

- **Cranmore, Sunday Deal Day:** On March 17, adults can ski or ride for \$65 and kids/seniors for \$49. The program is valid from 8:30 a.m. to 4 p.m.

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