



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
OFFICE OF THE COMMISSIONER

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February 19, 2021

The Honorable Edward Gordon
and the House Judiciary Committee
Legislative Office Building, Room 208
Concord, NH 03301

RE: HB 474 prohibiting surveillance by the state on public ways or sidewalks.

Dear Chair Gordon and Members of the Committee,

While we support the purpose of the legislation to "protect the personal privacy of residents and visitors to the state", we must oppose it as written because of the impact it would have on the safety of our visitors to state parks and forests and the ability to protect the many structures and improvements on state land managed by this department.

We read this legislation to restrict the use of surveillance equipment for public ways and sidewalks. Public ways under RSA 259:125 Way includes a road, alley, park or any public or private parking lot which is maintained primarily for the benefit of paying customers. Given that we charge entrance fees to many state parks and operate concessions, we assume that our operations would be included. It is unclear to us if the exceptions in Paragraph II, in RSA 259:125, would include properties under the jurisdiction of the department.

By way of example, cameras and surveillance equipment are used in the following situations:

1. The Rye Police Department has deployed cameras successfully in one of our state park parking lots to deter broken car windows, theft of wallets and purses and the resulting identity theft.
2. The Hampton Police Department uses a mobile surveillance trailer at various areas within or overseeing state park property, such as North Beach and during the Seafood Festival, to help maintain public safety.
3. Forest Management staff will often use game cameras on timber harvests to verify the number of truck loads leaving the harvesting job with the number of trip tickets reported to ensure against timber theft. We will also use cameras to monitor gated roads on state reservations that are frequently breached.
4. DNCR's Forest Rangers use cameras while conducting criminal investigations, including illegal OHRV use and vandalism at fire towers and other remote facilities.
5. With the assistance from local police, we have placed cameras at White Lake to track down vandalism and theft.
6. We have cameras at Pawtuckaway's office and tollbooth, placed in response to a break in and vandalism.
7. We also use trail cameras in areas without electricity to try to catch people dumping trash or destroying park property.

8. We permit third parties such as WMUR and the Hampton Village District to place cameras on structures (Hampton Seashell building).

Many of our agency's buildings and assets are in remote locations. We do not have the staff resources to patrol these locations continuously year round. The cameras are an efficient way to protect state resources.

While we do not want to infringe on the privacy of visitors to our state parks and lands, we respectfully request that we continue to be able to use surveillance equipment to maintain public safety, enforce laws and rules, and protect the resources under the jurisdiction of the department.

Thank you for the opportunity to testify and we would be glad to provide any additional information.

Sincerely,

A handwritten signature in black ink that reads "Sarah Stewart". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Sarah L. Stewart
Commissioner

CC: Philip A. Bryce, Director – Div Parks and Recreation
Patrick D. Hackley, Director – Div Forests and Lands

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