

MANCHESTER
Issues raised about parking,
towing during storms • A3



UNH HOCKEY
Wildcats end losing
streak, blank UML • B1

U.S.- CANADA
Police clear key border
crossing of protesters • B1



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CONCORD
Prosecutors offer changes to \$100M YDC victims fund bill

■ One change would be to have an independent administrator handle disputed claims.

By Kevin Landrigan
New Hampshire Union Leader

CONCORD — State prosecutors have proposed two dozen changes to legislation that would create a \$100 million fund to compensate victims of sexual and physical abuse by former staff at the Youth Development Center in Manchester.

The biggest change would be to create an independent administrator that would have the final say on claims that could not be resolved earlier between the victim and the Attorney General's Office.

The original bill (HB 1677) would have had those claims go through an arbitration process attached to the Attorney General.

"We want to give claimants a level of comfort that they would participate in this process," said Senior Assistant Attorney General Jennifer Ramsay, charged by AG John Formella to lead the effort to rework this bill.

Lawyers for many of these victims had called the original bill a "non-starter" as it would require victims to give up their right to

► See **Fund**, Page A8

State PUC rescinds plan to cut energy efficiency programs

■ Cuts came under attack from Gov. Sununu, conservation advocates and businesses.

By Kevin Landrigan
New Hampshire Union Leader

CONCORD — The state Public Utilities Commission put the brakes on its plan to make significant cuts to energy efficiency programs after an earlier order came under attack from Gov. Chris Sununu, public utilities, conservation advocates and businesses.

The three-person PUC issued a new ruling late Thursday, restoring spending for these programs to 2020-21 levels.

"Although the Commission has no reason to question the process by which it arrived at the rate reductions ... the Commission nonetheless finds it just and reasonable and in the public interest to approve the terms of a settlement agreement negotiated by the Department of Justice," the commission wrote.

Donald Kreis, the state's consumer advocate, had appealed the PUC's order to the New Hampshire Supreme Court. A Superior Court judge earlier had turned down an attempt to block the PUC's order.

Following the latest decision, Kreis confirmed his office was dropping its bid to suspend the PUC's entire decision.

"Frankly, it's about time. I have yet to talk to an organization, public official, or legislator that thought the PUC's order on energy efficiency was a good one, and I'm grateful that the Office of the Consumer Advocate kept the pressure on by asking for a stay," said Sam Evans-Brown, executive director of Clean Energy NH.

A Conservation Law Foundation (CLF) spokesman said it's a good sign but urged more attention to the issue.

"The PUC made the right call today, but the work isn't over yet," said CLF attorney Nick Krakoff. "The decision to gut popular energy efficiency programs was irresponsible and radical, and today's news is a step in the right

► See **PUC**, Page A8

WHEN LOVE GOES BAD
Welcome to high-conflict family court



DAVID LANE/UNION LEADER

From left, Dave Smith of Hollis, Angela Lozier of Concord, Dana Albrecht of Nashua, Vivian Girard of Hollis and Eric Brand of Nashua walk in unison outside of Hillsborough County Superior Court South in Nashua last week. Several divorcees want to improve the system.

VALENTINE'S DAY IS A DAY for love. Love is such an important part of the human experience that it deserves more than one day every year. Because when love goes right, 365 days go right. But when it goes bad ...

The stale smell of long-dead love has permeated the Circuit Court in Nashua over the past year or so.

Parents, who battle regularly over child support, visitation and parental decision-making, are confronting an irregular issue — lousy family court judges.

Last November, an ex-Circuit Court

City Matters



Commentary by
Mark Hayward

judge pleaded guilty to tampering with court records in 2019 to cover up her mistake in a child custody case. The following month, a judge-like marital master quietly retired when he admitted swearing during a divorce hearing and calling the kids "morons." The judge and the marital master

— Julie Introcaso and Bruce DalPra, respectively — presided over what the system calls high-conflict divorce and parenting cases.

The cases run on for years. Case files take up entire drawers of file cabinets, hearings can last days and lawyers make a fortune.

"It's financially crippled me. It's put a strain on myself and my children. We live, sleep, breathe, everything we do is the court system," said Vivian Girard, whose case, *Silva v. Silva*, has gathered a reputation for its endurance.

Eight years, 22 hearings, \$280,000

► See **City Matters**, Page A8

AN UNEXPECTED GIFT

Vet receives iBOT as part of partnership effort

■ Mike Moran had helped Mobius Mobility test the wheelchair; Veterans Count helped with the donation.

By Jonathan Phelps
New Hampshire Union Leader

Mike Moran first tried out the iBOT Personal Mobility Device a few years ago when he was helping to test the product, but he never thought he'd have one of his own.

The electric wheelchair developed by Dean Kamen in the 1990s can climb stairs and has a four-wheel mode, which moves through rough terrain, such as sand, grass, rocks and snow. Its balance mode lifts the chair to eye level.

Last week, Moran, of Londonderry, received his own iBOT as part of a donation from Veterans Count and manufacturer Mobius Mobility in Manchester. Veterans Count is a program of



DAVID LANE/UNION LEADER

Gulf War veteran Mike Moran of Londonderry stands up on two wheels while training with his new iBOT wheelchair at Mobius Mobility in Manchester on Feb. 10.

► See **Veteran**, Page A8

INDEX

| | | |
|------------------------|---------------------|-------------------|
| Abby/Advice A6 | Crosswords B3 | Opinion A7 |
| Business B3-4 | Lotteries A4 | Sports B1-2 |
| Classified A5 | Nation A7 | Weather B8 |
| Comics / TV B4-5 | Obituaries A6 | |

The weather
Partly cloudy, cold
Forecast, B8

Today's Chuckle
The only reason some people can keep their head above water is that wood floats.

A Small Prayer
May we concentrate on Your love for us, Lord, and walk in Your ways. Amen

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City Matters

From Page A1

in legal bills, five Supreme Court appeals, whose orders were ignored by Introcaso, Girard said.

For seven years, Girard said, she avoided relationships and “never let my walls down” and only recently started a relationship. She didn’t want to be around anyone, and she also didn’t want a relationship used against her in court.

Since the story of Introcaso’s transgression surfaced, Girard and other parents in high-conflict Nashua cases have coalesced. They dogged the Introcaso case, showing up whenever she went before a judge. They attend one another’s hearings for support.

And as of January, they have been going to Concord to push legislation addressing family court matters.

State Rep. Betty Gay, R-Salem, has introduced 12 bills this session dealing with family court. They are as minor (but still controversial) as allowing a friend or relative to stand beside a parent during family court, to as major as allowing family court appeals to go to Superior Court.

She said she’s gotten a lot of interest in a bill that would put monetary value on the job of a stay-at-home parent.

“This is an uphill battle,” Gay said, adding that a lot of lawmakers try to avoid the issue. “It’s so gruesome. All these stories are so sad.”

Judge David King, the

administrative judge of Circuit Courts, said lawmakers deserve to set policy, such as child support guidelines. But he is wary of bills that would hamper discretion of judges.

“Judges need to fashion a remedy,” King said.

Every year, about 20,000 divorce or parenting cases are filed in the state, and another 5,000 are re-opened. According to a tally from 2014, 87% are settled within 12 months. But 3% remain after two years.

Some are complex because of wealthy spouses, trusts and far-flung assets. But others fall under the high-conflict heading.

“These are the tough ones. They take up a lot of time we could use for other cases. They keep coming back. They just can’t agree,” King said.

To Dana Albrecht, his divorce is not an issue of a former couple who can’t agree. If his ex would follow court orders, he wouldn’t be in court, he said.

His case hits the six-year mark in April. There are 400 pleadings in his docket. One of his hearings went on for five days.

His ex moved the kids to California and then to Michigan, Albrecht said.

He’s been accused of either domestic violence or stalking three times. Two got thrown out; the latter is ongoing for two years and involves him showing up at the church where his wife took their kids, he said.

Albrecht spent \$100,000 on lawyers before he was financially depleted. He now writes and files pleadings himself. He has gotten good at it; his pleadings forced DalPra into retirement.

Before the divorce, the Albrecht family income brought in \$250,000 in a good year, he said. Now he rents a small house in Nashua that he shares with a roommate and his adult son. Of the remaining three children, he gets to see his 9-year-old the most — a twice-monthly Zoom call for 15 minutes.

“The most powerful thing they have over parents is time with your child,” Albrecht said.

“People will do anything to keep their kids.”

Albrecht said he’s been diagnosed with anxiety and depression. He’s not in a relationship and worries about how he would explain to any potential partner the unwarranted domestic violence petitions and his inability to see his kids.

But he has something else. That was evident when I sat down with him, Girard, Gay and two others who are pushing the Legislature to make changes.

“For everybody at this table, hundreds have faced the same issues,” Albrecht said.

“This group is powerful because we’re trying to change the system for everybody.”

mhayward@unionleader.com

Mass. woman issued speeding summons after hitting trail groomer with snowmobile

By Paul Feely
New Hampshire Union Leader

A Massachusetts woman was issued a summons for speeding after leaping off a snowmobile before it hit a trail groomer Sunday in Gorham, officials said.

Around 3:15 p.m. Sunday, conservation officers were notified by state police of a crash involving a snowmobile and trail groomer on Corridor 19 in Gorham.

A trail groomer driven by Stephen Sheridan, 63, of Gorham was grooming trails along a hilly section of Corridor 19 for a local snowmobile club when two snowmobiles came

through the area, conservation officers said.

A snowmobile driven by Christine Lloyd, 41, of Auburn, Mass., was riding towards the groomer when she and a riding partner on a second snowmobile came over the top of a hill at a “high rate of speed,” Conservation Officer Levi Frye said in a statement.

Lloyd’s riding partner, who was riding in front, slowed his machine down enough to go around the side of the groomer safely and stop, Frye said.

“Lloyd came over the top of the hill and saw both the groomer and the other snowmobile stopped in the trail and tried to stop her

machine prior to hitting the groomer.

“Lloyd was unable to do so, so she jumped off her machine prior to it striking the groomer,” Frye said in a statement.

Lloyd’s snowmobile hit the groomer’s snow blade. Both she and her riding partner, along with Sheridan, were uninjured.

Conservation officers said inattention and unreasonable speed for conditions were contributing factors in the crash.

Lloyd was issued a summons for unreasonable speed, officials said.

No further information was available Sunday night.

Veteran

From Page A1

Easterseals.

The partnership plans to donate four more iBOTs to veterans.

Moran, who served almost 20 years in the U.S. Air Force, has been using a manual wheelchair for the last 14 years.

“The capabilities this has are endless,” he said of the product.

Moran, 51, called the balance mode “a game changer” because he can have conversations without having to look up at someone. Or people looking down at him.

“I don’t feel as stuck to the ground,” he said.

He received training last week to go over 5-inch curbs and drive up and down 10- and 12-degree slopes. He also practiced driving through sand, gravel and uneven terrain. The stair climb required a significant amount of training.

Mobius Mobility first connected with Moran through the Veterans Af-

fairs Medical Center in West Roxbury, Mass. He helped test the product during development.

CEO Lucas Merrow said the company sought help from veterans to get feedback on possible “blind spots.”

Merrow said the latest generation of iBOT is lighter and has more battery power. The device requires a prescription as a Class 2 medical device.

“I feel very strongly — everybody here feels really strongly — that people with disabilities deserve the same level of innovation and investment in technology that other segments of society get,” he said. “Folks with disabilities are often left out of conversations on inclusion and equity.”

Mobius began manufacturing the iBOT in Manchester in 2020, a decade after Johnson & Johnson discontinued producing them in 2009. The company made and shipped 70 last year and the goal is to

produce 200 this year, Merrow said.

The company does a lot of outreach with nonprofits as the iBOT is not covered by insurance, Merrow said. The company also partners with VA Medical Centers across the country. The company is working on three A’s: Awareness, affordability and availability.

He pointed to Moran as the most rewarding part of his job. The company has about 20 employees.

Kathy Flynn, senior director of development for Veterans Count, said the organization is taking requests for the remaining iBOTs. The five devices were donated during a fundraiser this fall, she said.

“Five generous donors stepped up to completely purchase five units,” she said.

The cost of each device is undisclosed but another foundation raised \$30,000 for a Texas police officer to receive an updated model after using the original device.

PUC

From Page A1

direction. Nevertheless, it’s still up to the Supreme Court to officially reject the PUC’s rollbacks of energy efficiency programs and put the state on a path to a cleaner, more affordable energy future.”

PUC had rejected utility deal to raise spending

Last fall, the renewable energy sector and the state’s major utilities had agreed to a \$358 million budget for these projects from 2021-2023.

But in November, the PUC instead ordered the utilities to cut spending in that agreement by about \$200 million.

Gov. Chris Sununu and Energy Commissioner

Jared Chicoine both said last month that they supported a stay of the PUC’s order to keep the current energy efficiency level of spending in place.

Sununu said he appreciated the PUC’s desire not to increase energy costs for consumers, but said he had concerns that proposed cuts to these programs could cause them to “wither on the vine.”

The latest seven-page decision of the PUC left in place other aspects of the decision, but the Legislature, with bipartisan support, has made moves in recent weeks to assert its authority.

The state Senate approved a bill (HB 549) mak-

ing it clear that lawmakers, not the PUC, set the policy on energy efficiency.

It also would tie annual spending on energy efficiency to a cost-of-living index, which would likely cause it to go up each year.

Evans-Brown said it’s important for lawmakers to finish this job.

“A lot of work remains to be done to start making progress again on crafting good policies that will help Granite Staters stop wasting money and energy,” Evans-Brown said.

“I’m looking forward to starting those conversations as soon as HB 549 becomes law.”

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Fund

From Page A1

sue with no assurance the state would grant them any relief for their suffering.

A working group with the House Finance Committee spent nearly three hours last Friday poring over proposed changes to the bill from state officials.

Rep. Jess Edwards, R-Auburn and chairman of the subpanel, said it will meet soon with David Vicinanza, a lawyer with Nixon Peabody, who has teamed with Rus Rilee, the lawyer who brought the first lawsuits. Vicinanza could not be reached for comment.

Rep. Robert Lynn, R-Windham and a retired Supreme Court chief justice, said taxpayers would pay much more to hire an administrator than an arbitrator.

“My suspicion would be the difference in cost of what someone (private lawyer) would be paid over five years would be very, very significant,” Lynn said.

“If we are going to select an outside attorney, we would want a very competent, experienced, well-thought-of attorney to do this.”

Formella said he’s frequently used the financial might of state government to negotiate good terms when it hires outside lawyers.

“I agree with your con-

cerns about the expenses. We want someone who is independent, but ... we make very strong deals to get better rates, keep costs down,” Formella said.

Ramsay said the administrator could be a retired judge or mediator and that would come at a lower cost than a private lawyer because the state would not be paying for a law firm’s overhead.

Another change would allow claims to be brought for injuries at any time. The original bill only allowed for payments based on acts dating back to 1980.

Some questioned spelling out in this bill that lawyers would get 33% of a payout to a victim if the case went to an administrator, and only 25% if it’s settled prior to that point.

“If money is the motivator then that administrator is going to be very busy,” said Rep. Tracy Emerick, R-Hampton.

Edwards said there should be no incentive.

“We want them to settle sooner but I don’t want to create a casino environment where they go gaming the system,” Edwards said.

Formella said a lawyer’s costs would be much higher if the case goes to an administrator.

Finance Committee Chairman Karen Umberger, R-Conway, said all financial

payouts should require approval of the Joint Legislative Fiscal Committee and the administrator should have to make quarterly reports.

The finance panel has until March 10 to make a recommendation on this bill.

Now called the Sununu Youth Services Center, the YDC has been the target of a criminal investigation since 2019, and more than 400 men and woman have come forward with allegations involving 150 staffers from 1960 to 2018.

Ten former workers at the Youth Development Center in Manchester and one from a pre-trial facility in Concord were charged in April with either sexually assaulting or acting as accomplices to the assault of more than a dozen teenagers from 1994 to 2007.

The Sununu Youth Services Center in Manchester, a facility that serves children ordered to a secure institutional setting by the juvenile justice system, replaced the old complex on the same property in 2006.

While it housed more than 100, the typical population now is about a dozen.

The current state budget calls for replacing it with a much smaller facility in 2023.

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