**The New Jury Duty**

New Hampshire courts, the Attorney General, and Secretary of State have been playing a word game with NH’s elections. They have reversed the lawful meaning or the words “domicile” and “resident” resulting in the corruption of NH’s Federal elections. This has been going on since the 1972 case, Newburger v. Peterson.

The problem with pulling a scam like this is that it has a domino effect on other critical state statutes. Take for instance the selections of juries for State and Federal cases.

Our State Constitution demands all NH voters be domiciled in their respective town or ward. There is no way out of the language in Article 11. Domicile means your single legal residence – to the exclusion of all others, as described in RSA 21:6 and every English dictionary.

But in the game NH officials play, the definition of resident and domicile are reversed so that a college student or campaign worker can have multiple domiciles – one in NH just for voting. In this scam a student or campaign worker need only “establish a presence” in NH to vote – keeping an out-of-state driver’s license and recognition of citizenship in another state.

NH has thousands of out-of-state voters determining our elections – which seems fine to the officials in NH charged with the responsibility of protecting qualified NH citizen’s votes, as well as the integrity of our elections.

So how does this scam effect our juries? Who serves under this scam? Do we re-interpret the statutes regarding juries so we can let out-of-state registered voters serve on juries? Is the Federal Government satisfied with this unique interpretation of our jury statutes?

Under DEFINITIONS in RSA 500-A:1 the master list is supposed to be comprised of registered voters and persons 18 years of age who have a current New Hampshire driver’s license. That seems as plain as can be.

Answer this question:

How can a person be put on the master jury list if he doesn’t have, and never took and action to acquire, a NH driver’s license – but holds one from another state? The statutes we had before this scam started took all that into consideration because a person claiming domicile in NH had to abandon his previous domicile within 60 days and replace his out-of-state license with a NH driver’s license - or stop driving. That action would show intent to become a NH domiciled citizen and a qualified voter.

Let’s talk about blending the lists of potential jurors.

Since we have thousands of people who are voting in NH but are not holding a NH driver’s license they avoid jury duty in NH in part by deliberately not holding a NH driver’s license. That is a fact.

But what happens to the registered NH voters from other states who are required by RSA 500-A:1 to be selected for NH jury duty through the statewide voter list provided the courts by the NH Secretary of State?

1. Does NH allow non-citizen voters on NH juries?
2. How does NH contact students who give bulk addresses from colleges who have left for the summer – or forever?
3. If a non-citizen has just served on a jury in his home state does he have to serve here? Is there an exemption for that?
4. Can a convicted criminal in NH request a re-trial if a jury of non-citizens found him guilty?
5. Can Federal Grand Juries in NH be made up of non-citizens of NH?
6. How many non-citizen students have been excused from jury duty in NH?
7. Could someone be grooming the statewide voter lists, which are exempt from public review, so non-citizen students don’t show up for jury duty in the first place?
8. Does “One man, one vote” now mean “One man, multiple domiciles?”

Maybe if NH followed the simple language in of State Constitution and statutes we would not have to use pretzel logic to explain the domino effect of letting non-citizens vote in NH.

**500-A:1 Definitions. – In this chapter:**

    I. "Clerk'' means the clerk of the superior court in each county or judicial district or any of his deputies.

    II. "Court'' means the superior court and regional jury trial courts.

    III. "Department'' means the New Hampshire department of safety.

**IV. "Master jury list'' means the list blended and compiled from the voter lists,** which shall be provided by the secretary of state pursuant to RSA 654:45, VI on encrypted removable media, **and from the official record of persons 18 years of age or older who hold a current New Hampshire driver's** license or a department of safety identification card, which shall be provided by the department. Information contained in the master jury list shall be private and confidential and shall not be subject to RSA 91-A.

    V. "Office'' means the administrative office of the courts.

**VI. "Voter lists'' means the official record of persons registered to vote** in the most recent state general election and town lists, which are the combined and alphabetically arranged lists prepared by the selectmen and city wards for their respective jurisdictions made up of all adults listed on the voter registration lists, and provided to the office by the selectmen and city wards.

Source. 1971, 456:10. 1981, 527:2. 1992, 38:1. 1995, 277:13. 1998, 237:1, 2, eff. Jan. 1, 1999. 2013, 261:1, eff. July 1, 2013.

**500-A:6 Juror Qualification Form. –**

    I. When required to do so, the clerk shall draw from the master jury list the names or identifying numbers of as many prospective jurors as is necessary to create a sufficient jury pool. The names or identifying numbers of prospective jurors may be chosen either by random drawing or by computer on a random basis. The clerk shall prepare an alphabetical list of the names drawn. The names drawn on the list may be disclosed only to persons authorized to see the list under this chapter or upon specific order of the court. The addresses of jurors shall not be disclosed, except to counsel, to a pro se party examining juror qualification forms, or otherwise in accordance with court rule.

    II. The clerk shall make available to every prospective juror whose name is drawn from the master list a juror qualification form, accompanied by instructions to complete and submit the form to the clerk within 10 days after its receipt.

    III. The court shall prepare the juror qualification form. The juror qualification form shall:

       (a) Include the name, address, and age of the prospective juror;

       (b) Require the prospective juror to specify if he or she is:

**(1) A citizen of the United States and a resident of the county;**

          (2) Able to read, speak, and understand the English language;

          (3) Subject to any physical or mental disability which would impair the prospective juror's capacity to render satisfactory jury service; or

          (4) A convicted felon whose conviction has not been annulled or whose conviction is not eligible for annulment under New Hampshire law; and

       (c) Contain the prospective juror's declaration that his or her responses are true to the best of his or her knowledge and his or her acknowledgment that a willful misrepresentation of a material fact may be punishable as a misdemeanor under the laws of this state.

    IV. Notarization of the juror qualification form shall not be required.

    V. If the prospective juror is unable to complete the form, another person may do it for him or her. If another person completes the form, such person shall indicate that he or she has done so and why.

    VI. If it appears there is an omission, ambiguity, or error in a submitted form, the clerk shall return the form to the prospective juror with instructions to make the necessary addition, clarification, or correction and resubmit the form to the clerk within 10 days after receipt of these instructions.

The out-of-state voter scam is catching up with NH. Our State Officials look like Lucy at the Chocolate Factory trying to justify giving one party an advantage in statewide elections.

But this is no comedy.