

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT

Merrimack Superior Court
5 Court Street
Concord NH 03301

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
http://www.courts.state.nh.us

RETURN FROM SUPERIOR COURT – HOUSE OF CORRECTIONS

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

Name: Douglas C. Smith, [REDACTED]

DOB: [REDACTED]

Charging document: Complaint

Offense: Voter Fraud - RSA 659:34, I (a,c,d,e,f) GOC: Charge ID: 1603144C RSA: 659:34,II Date of Offense: March 13, 2018

Disposition: Guilty/Chargeable By: Plea

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Misdemeanor

Sentence: see attached

December 02, 2020
Date

Hon. Brian T. Tucker
Presiding Justice

Catherine J. Ruffle
Clerk of Court

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **Merrimack County House of Corrections**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: _____
Clerk of Court

SHERIFF'S RETURN

I DELIVERED THE DEFENDANT TO THE **Merrimack County House of Corrections** and gave a copy of this order to the Superintendent.

Date

Sheriff

J-ONE: State Police DMV

C: Dept. of Corrections Offender Records Sheriff Office of Cost Containment
 Prosecutor Nicholas Austin Chong Yen, ESQ; James T. Boffetti, ESQ Defendant
Defense Attorney Jared J. Bedrick, ESQ
 Sex Offender Registry Other _____ _____ Dist Div _____

Clerk's Notice of Decision
Document Sent to Parties

NHJB-2337-Se (08/06/2019)

This is a Service Document For Case: 217-2019-CR-00234
on 12/17/2020
Merrimack Superior Court
12/17/2020 2:21 PM

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: Merrimack Superior Court
Case Name: State v. Douglas C. Smith
Case Number: 217-2019-CR-00234 Charge ID Number: 1603144C
(if known)

HOUSE OF CORRECTIONS SENTENCE

Plea/Verdict: <u>Guilty</u>	
Crime: <u>Wrongful Voting - RSA 659:34, I(d) & II</u>	Date of Crime: <u>03/13/2018</u>

A finding of GUILTY/TRUE is entered.

CONVICTION

This conviction is for a Misdemeanor

- A. The defendant has been convicted of Domestic Violence contrary to RSA 631:2-b or of an offense recorded as Domestic Violence. See attached Domestic Violence Sentencing Addendum.
- B. The defendant has been convicted of a misdemeanor, other than RSA 631:2-b or an offense recorded as Domestic Violence, which includes as an element of the offense, the use or attempted use of physical force or threatened use of a deadly weapon, and the defendant's relationship to the victim is:

OR The defendant is cohabiting or cohabited with victim as a _____

OR A person similarly situated to _____

CONFINEMENT

- A. The defendant is sentenced to the House of Corrections for a period of 12 months.
Pretrial confinement credit is 0 days.
- B. This sentence is to be served as follows:
- Stand committed Commencing 12/02/2020
- Consecutive weekends from _____ PM Friday to _____ PM Sunday beginning _____
- 6 months of the sentence is suspended during good behavior and compliance with all terms and conditions of this order. Any suspended sentence may be imposed after hearing at the request of the State. The suspended sentence begins today and ends 3 years from
- today or release on charge ID number _____ Docket 220-2020-CR-0127; Charge ID 1752436C
- _____ of the sentence is deferred for a period of _____.
- The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of _____.
- Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for the defendant's arrest.
- Other: _____
- C. The sentence is consecutive to case number and charge ID _____
 concurrent with case number and charge ID 220-2020-CR-0127 1752436C
- D. The court recommends to the county correctional authority:
- Work release consistent with administrative regulations.
- Drug and alcohol treatment and counseling.
- Sexual offender program.
- _____

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

HOUSE OF CORRECTIONS SENTENCE

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

PROBATION

- A. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the probation/parole officer.
Effective: Forthwith Upon release from _____
The defendant is ordered to report immediately, or immediately upon release, to the nearest Probation/Parole Field Office.
- B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.

FINANCIAL OBLIGATIONS

A. Fines and Fees:

Fine of \$ 2,000.00, plus a statutory penalty assessment of \$ 480.00 to be paid:

Today

By _____

Through the Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.

\$ 2,000.00 of the fine and \$ 480.00 of the penalty assessment is suspended for 3 year(s).

A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.

B. Restitution:

The defendant shall pay restitution of \$ _____ to _____

Restitution shall be paid through the Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.

At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.

Restitution is not ordered because: _____

C. Appointed Counsel: NOTE: Financial Obligations, Section C is NOT a term and condition of the sentence.

The Court finds that the defendant has the ability to pay:

counsel fees and expenses in the amount of \$ _____

payable through _____ in the amount of \$ _____ per month.

The Court finds that the defendant has no ability to pay counsel fees and expenses.

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

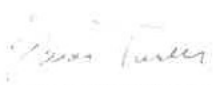
HOUSE OF CORRECTIONS SENTENCE

OTHER CONDITIONS

- A. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- B. The defendant's _____ in New Hampshire is revoked for a period of _____ effective _____
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the _____
- D. The defendant shall perform _____ hours of community service and provide proof to _____ within _____ of today's date.
- E. The defendant is ordered to have no contact with _____ either directly or indirectly, including but not limited to contact in-person, by mail, phone, e-mail, text message, social networking sites and/or third parties.
- F. Law enforcement agencies may destroy the evidence return evidence to its rightful owner.
- G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- I. Other:

Pursuant to Part I, Article 11 of the New Hampshire Constitution, the defendant shall no longer have the right to vote in New Hampshire under the Constitution of this State.

For Court Use Only


Honorable Brian T. Tucker
December 2, 2020

The State of New Hampshire SUPERIOR COURT COMPLAINT

Case Number:

Charge ID:

<input type="checkbox"/> VIOLATION	MISDEMEANOR	<input checked="" type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL <input type="checkbox"/> UNCLASSIFIED (non-person)

You are to appear at the: **Merrimack Superior Court**
 address: **163 North Main Street Concord NH 03302**
 in: **Merrimack County**
 at:
 on:

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT:

Smith, Jr. Douglas Carl
 Last Name First Name Middle
 Address City State Zip

Male White
 Sex Race Height Weight Eye Color Hair Color

DOB License #. New Hampshire
 OP License State

COMM. VEH. COMM. DR. LIC. HAZ. MAT. 16+ PASSENGER

AT: Danbury, NH and Grafton, NH
 On or about Between **March 13, 2018** in the above county and state, did
 commit the offense of:

RSA Name: **Wrongful Voting**
 Contrary to RSA: **RSA 659:34, I, (d) & II**
 Inchoate:

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:
knowingly apply for a ballot in his or her own name after he voted once, in that he voted in person in both the Town of Grafton and the Town of Danbury during the March 13, 2018 election.

MCSC #217 19 CR 234
 CHG ID# 1003144C

RECEIVED
 MAR 19 2019
 By _____

Additional allegations are attached against the peace and dignity of the State.

Plea of Guilty
 Entered December 2, 2020

Date: 03/05/2019


 Prosecutor's Signature
 Assistant Attorney General

Honorable Brian T. Tucker

19808 Matthew T. Broadhead NH Attorney General
 NH Bar ID # Printed Name Prosecuting Attorney's Office

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT

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RETURN FROM SUPERIOR COURT – HOUSE OF CORRECTIONS

Case Name: **State v. Douglas C. Smith**

Case Number: **217-2019-CR-00234**

Name: **Douglas C. Smith,** [REDACTED]

DOB: [REDACTED]

Charging document: Complaint

Offense: Voter Fraud - RSA 659:34, I (a,c,d,e,f) GOC: Charge ID: 1603145C RSA: 659:34,II Date of Offense: March 13, 2018

Disposition: Guilty/Chargeable By: Plea

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Misdemeanor

Sentence: see attached

December 02, 2020
Date

Hon. Brian T. Tucker
Presiding Justice

Catherine J. Ruffle
Clerk of Court

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **Merrimack County House of Corrections**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: _____
Clerk of Court

SHERIFF'S RETURN

I DELIVERED THE DEFENDANT TO THE **Merrimack County House of Corrections** and gave a copy of this order to the Superintendent.

Date Sheriff

J-ONE: State Police DMV

C: Dept. of Corrections Offender Records Sheriff Office of Cost Containment
 Prosecutor Nicholas Austin Chong Yen, ESQ; James T. Boffetti, ESQ Defendant
Defense Attorney Jared J. Bedrick, ESQ
 Sex Offender Registry Other _____ _____ Dist Div. _____

Clerk's Notice of Decision
Document Sent to Parties

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: Merrimack Superior Court

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234 Charge ID Number: 1603145C
(if known)

HOUSE OF CORRECTIONS SENTENCE

Plea/Verdict: <u>Guilty</u>	
Crime: <u>Wrongful Voting - RSA 659:34, I(a) & II</u>	Date of Crime: <u>03/13/2018</u>

A finding of GUILTY/TRUE is entered.

CONVICTION

This conviction is for a Misdemeanor

- A. The defendant has been convicted of Domestic Violence contrary to RSA 631:2-b or of an offense recorded as Domestic Violence. See attached Domestic Violence Sentencing Addendum.
- B. The defendant has been convicted of a misdemeanor, other than RSA 631:2-b or an offense recorded as Domestic Violence, which includes as an element of the offense, the use or attempted use of physical force or threatened use of a deadly weapon, and the defendant's relationship to the victim is:

OR The defendant is cohabiting or cohabited with victim as a _____

OR A person similarly situated to _____

CONFINEMENT

- A. The defendant is sentenced to the House of Corrections for a period of 12 months.
Pretrial confinement credit is 0 days.
- B. This sentence is to be served as follows:
- Stand committed Commencing 12/02/2020
- Consecutive weekends from _____ PM Friday to _____ PM Sunday beginning _____
- 6 months of the sentence is suspended during good behavior and compliance with all terms and conditions of this order. Any suspended sentence may be imposed after hearing at the request of the State. The suspended sentence begins today and ends 3 years from today or release on charge ID number _____. Docket 220-2020-CR-0127; charge ID 1752436C
- _____ of the sentence is deferred for a period of _____.
- The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of _____.
- Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for the defendant's arrest.
- Other: _____
- C. The sentence is consecutive to case number and charge ID _____
 concurrent with case number and charge ID 217-2019-CR-234 1603144C
- D. The court recommends to the county correctional authority: 220-2020-CR-0127; 1752436C
- Work release consistent with administrative regulations.
- Drug and alcohol treatment and counseling.
- Sexual offender program.
- _____

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

HOUSE OF CORRECTIONS SENTENCE

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

PROBATION

A. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the probation/parole officer.

Effective: Forthwith Upon release from _____

The defendant is ordered to report immediately, or immediately upon release, to the nearest Probation/Parole Field Office.

B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.

FINANCIAL OBLIGATIONS

A. **Fines and Fees:**

Fine of \$ _____, plus a statutory penalty assessment of \$ 0.00 to be paid:

Today

By _____

Through the Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.

\$ _____ of the fine and \$ _____ of the penalty assessment is suspended for _____ year(s).

A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.

B. **Restitution:**

The defendant shall pay restitution of \$ _____ to _____

Restitution shall be paid through the Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.

At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.

Restitution is not ordered because: _____

C. **Appointed Counsel: NOTE:** Financial Obligations, Section C is NOT a term and condition of the sentence.

The Court finds that the defendant has the ability to pay:

counsel fees and expenses in the amount of \$ _____

payable through _____ in the amount of \$ _____ per month.

The Court finds that the defendant has no ability to pay counsel fees and expenses.

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

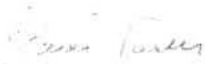
HOUSE OF CORRECTIONS SENTENCE

OTHER CONDITIONS

- A. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- B. The defendant's _____ in New Hampshire is revoked for a period of _____ effective _____
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the _____
- D. The defendant shall perform _____ hours of community service and provide proof to _____ within _____ of today's date.
- E. The defendant is ordered to have no contact with _____ either directly or indirectly, including but not limited to contact in-person, by mail, phone, e-mail, text message, social networking sites and/or third parties.
- F. Law enforcement agencies may destroy the evidence return evidence to its rightful owner.
- G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- I. Other:

Pursuant to Part I, Article 11 of the New Hampshire Constitution, the defendant shall no longer have the right to vote in New Hampshire under the Constitution of this State.

For Court Use Only


Honorable Brian T. Tucker
December 2, 2020

The State of New Hampshire
SUPERIOR COURT COMPLAINT

Case Number:

Charge ID:

<input type="checkbox"/> VIOLATION	MISDEMEANOR	<input checked="" type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL <input type="checkbox"/> UNCLASSIFIED (non-person)

You are to appear at the: **Merrimack Superior Court**
address: **163 North Main Street Concord NH 03302**
in: **Merrimack County**
at:
on:

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT:

Smith, Jr. Douglas Carl
Last Name First Name Middle
[Redacted] [Redacted] [Redacted]
Address City State Zip

Male White
Sex Race Height Weight Eye Color Hair Color
[Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

DOB License #: New Hampshire
OP License State
 COMM. VEH. COMM. DR. LIC. HAZ. MAT. 16+ PASSENGER

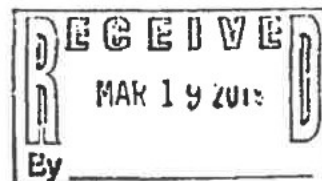
AT: **Danbury, NH and Grafton, NH**
 On or about Between **March 13, 2018** in the above county and state, did
commit the offense of:

RSA Name: **Wrongful Voting**
Contrary to RSA: **RSA 659:34, I, (a) & II**
Inchoate:

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:
vote in both the Town of Grafton and the Town of Danbury during the March 13, 2018 election. Further, he registered to vote in person in the Town of Danbury on March 13, 2018 and violated RSA 659:34, I (a) and II because he knowingly, signed and submitted an election day registration affidavit when registering to vote, and the affidavit contained false material information regarding his qualifications to vote. To wit, he signed an affidavit statement under the penalties of voting fraud that provided "I acknowledge...if registering on election day, that I have not voted and will not vote at any other polling place this election."

Additional allegations are attached.
against the peace and dignity of the State.

MCSC #217 <u>19</u> CR <u>234</u>
CHG ID# <u>1003145C</u>



Date: 03/05/2019

Prosecutor's Signature

19808 Matthew T. Broadhead
NH Bar ID # Printed Name

NH Attorney General
Prosecuting Attorney's Office

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT

Merrimack Superior Court
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<http://www.courts.state.nh.us>

RETURN FROM SUPERIOR COURT – STATE PRISON SENTENCE

Case Name: State v. Douglas C. Smith
Case Number: 217-2019-CR-00234

Name: Douglas C. Smith
DOB: [REDACTED]

Charging document: Indictment

Offense:	GOC:	Charge ID:	RSA:	Date of Offense:
Voter Fraud		1603143C	659:34,1(e)	March 13, 2018

Disposition: Guilty/Chargeable By: Plea

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Felony

Sentence: see attached

December 02, 2020
Date

Hon. Brian T. Tucker
Presiding Justice

Catherine J. Ruffle
Clerk of Court

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **New Hampshire State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: _____
Clerk of Court

SHERIFF'S RETURN

I delivered the defendant to the **New Hampshire State Prison** and gave a copy of this order to the Warden.

Date

Sheriff

J-ONE: State Police DMV

C: Dept. of Corrections Offender Records Sheriff Office of Cost Containment
 Prosecutor Nicholas Austin Chong Yen, ESQ; James T. Boffetti, ESQ Defendant Defense Attorney Jared J. Bedrick, ESQ
 Sentence Review Board Sex Offender Registry Other _____ _____ Dist Div. _____

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: Merrimack Superior Court
Case Name: State v. Douglas C. Smith
Case Number: 217-2019-CR-00234 Charge ID Number: 1603143C
(if known)

STATE PRISON SENTENCE

Plea/Verdict: Guilty	
Crime: Wrongful Voting - Not Qualified to Vote	Date of Crime: 03/13/2018

A finding of GUILTY/TRUE is entered.

CONVICTION AND CONFINEMENT

A. The defendant has been convicted of Domestic Violence contrary to RSA 631:2-b or of an offense recorded as Domestic Violence. See attached Domestic Violence Sentencing Addendum.

B. The defendant is sentenced to the New Hampshire State Prison for not more than 4 years, nor less than 2 years

There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year.

Pretrial confinement credit: 0 days.

C. This sentence is to be served as follows:

Stand committed Commencing _____

All _____ of the minimum sentence and **all** _____ of the maximum sentence is suspended.

Suspensions are conditioned upon good behavior and compliance with all of the terms of this order. Any suspended sentence may be imposed after a hearing at the request of the State. The suspended sentence begins today and ends 3 years from today or release on ocket 220-2020-CR-0127; 1752436C
 _____ of the sentence is deferred for a period of _____ year(s). The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of _____ year(s). Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed, suspended and/or further deferred. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for your arrest.

D. The sentence is consecutive to case number and charge ID _____
 concurrent with case number and charge ID _____

E. See Addendum to State Prison Sentence Sexual Offender Assessment and Treatment.

F. See Addendum to State Prison Sentence Substance Use Disorder Assessment and Treatment.

G. The Court recommends to the Department of Corrections:

Screen and/or assess for drug and alcohol treatment needs.

Sentence to be served at House of Corrections

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

STATE PRISON SENTENCE

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

PROBATION

A. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the Probation/Parole Officer.

Effective: Forthwith Upon release from _____

The defendant is ordered to report immediately, or immediately upon release, to the nearest Probation/Parole Office.

B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.

FINANCIAL OBLIGATIONS

A. **Fines and Fees:**

Fine of \$ _____, plus a statutory penalty assessment of \$ 0.00 to be paid:

Today

By _____

Through the Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.

\$ _____ of the fine and \$ _____ of the penalty assessment is suspended for _____ year(s).

A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.

B. **Restitution:**

The defendant shall pay restitution of \$ _____ to _____

Restitution shall be paid through the Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.

At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.

Restitution is not ordered because: _____

C. **Appointed Counsel: NOTE:** Financial Obligations, Section C is NOT a term and condition of the sentence.

The Court finds that the defendant has the ability to pay:

counsel fees and expenses in the amount of \$ _____

payable through _____ in the amount of \$ _____ per month.

The Court order for repayment is suspended until the time of the defendant's release from state prison.

The Court finds that the defendant has no ability to pay counsel fees and expenses.

Case Name: State v. Douglas C. Smith

Case Number: 217-2019-CR-00234

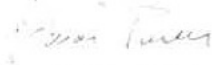
STATE PRISON SENTENCE

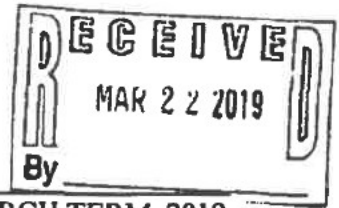
OTHER CONDITIONS

- A. The defendant is to participate meaningfully in and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- B. Subject to the provisions of RSA 651-A:22-a, the Department of Corrections shall have the authority to award the defendant earned time reductions against the minimum and maximum sentences for successful completion of programming while incarcerated.
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the
 New Hampshire State Prison House of Corrections
- D. The defendant shall perform _____ hours of community service and provide proof to _____ within _____ of today's date.
- E. The defendant is ordered to have no contact with _____ either directly or indirectly, including but not limited to contact in-person, by mail, phone, email, text message, social networking sites or through third parties.
- F. Law enforcement agencies may destroy the evidence return evidence to its rightful owner.
- G. The defendant and the State have waived sentence review in writing or on the record.
- H. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- I. Other:

Pursuant to Part I, Article 11 of the New Hampshire Constitution, the defendant shall no longer have the right to vote in New Hampshire under the Constitution of this State.

For Court Use Only


Honorable Brian T. Tucker
December 2, 2020



THE STATE OF NEW HAMPSHIRE
INDICTMENT

MERRIMACK, SS.

MARCH TERM, 2019

At the Superior Court, holden at Concord, within and for the County of MERRIMACK aforesaid, on the 22nd day of March in the year of our Lord two thousand and nineteen

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

DOUGLAS C. SMITH, JR.
[REDACTED]

of Warner, New Hampshire, in the State of New Hampshire, on or about March 13, 2018, did commit the crime of

WRONGFUL VOTING – NOT QUALIFIED TO VOTE
(RSA 659:34, I(c) & RSA 659:34, II)

in that, Douglas C. Smith, Jr., knowingly voted for an office or measure in both the Town of Grafton and the Town of Danbury, at an election that he was not qualified to vote in under RSA 654. He was not qualified to vote in both elections because a person can claim only one domicile for voting purposes (RSA 654:2) and he voted in Danbury, a location where he was not domiciled (RSA 654:1).

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Plea of Guilty
Entered December 2, 2020
Brian Tucker
Honorable Brian T. Tucker

Nicholas A. Chong Yen
Nicholas A. Chong Yen, NH Bar #268425
Assistant Attorney General

This is a true bill.

Joe Conway

NOSEC #217 19 CR 234
CHG ID# 1603143C

Foreperson

Name: Douglas C. Smith, Jr.
DOB: [REDACTED]
Address: [REDACTED]
RSA: RSA 659:34, I(c) & RSA 659:34, II
Offense level: Class B Felony
Dist/Mun Ct: N/A

Town of DANBURY, NH
Official Checklist

Print Date : 03/07/2018

DANBURY TOWN ELECTION - 03/13/2018

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Party Voter Name

Identity Domicile Address

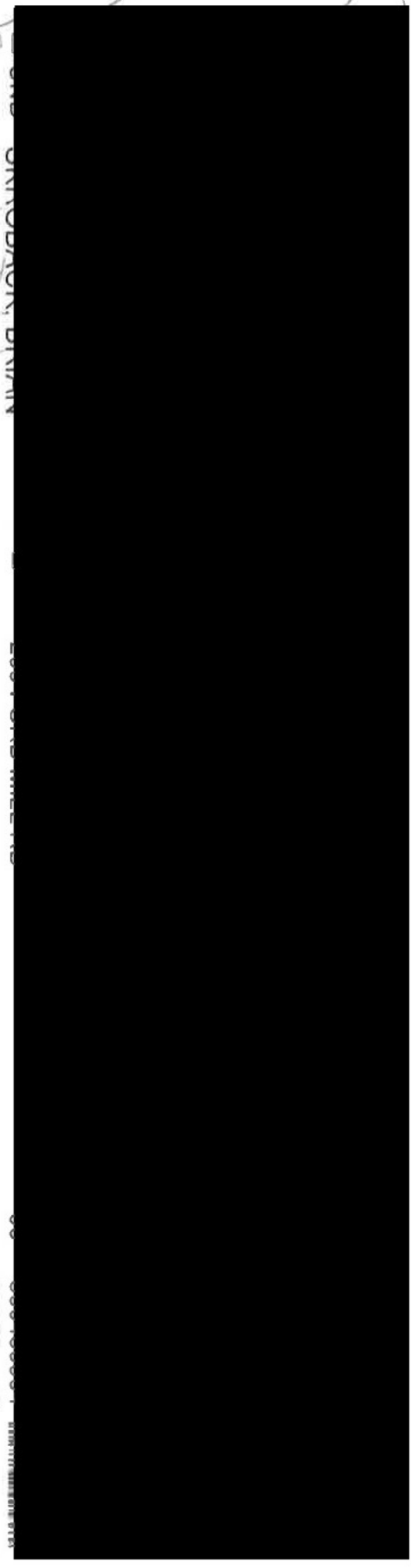
Mailing Address

Ward Voter ID

Barcode

Ward 00 CONT.

CVA



Official Checklist

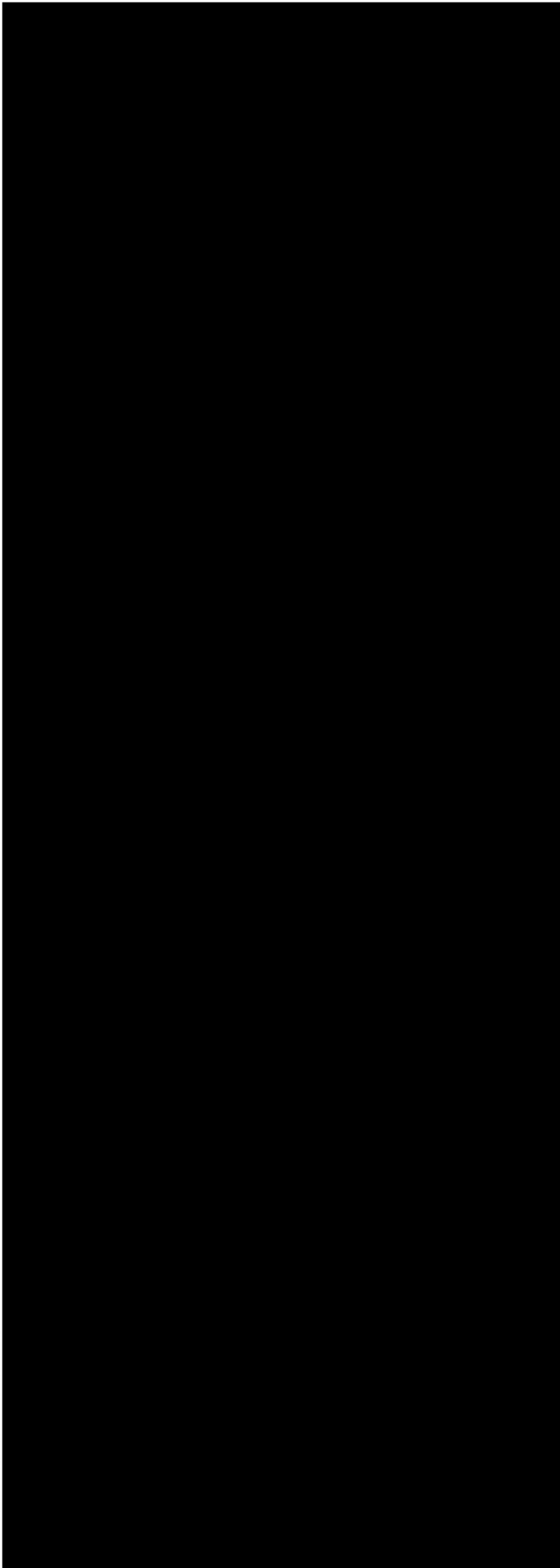
Print Date : 03/03/2018

GRAFTON TOWN ELECTION - 03/13/2018

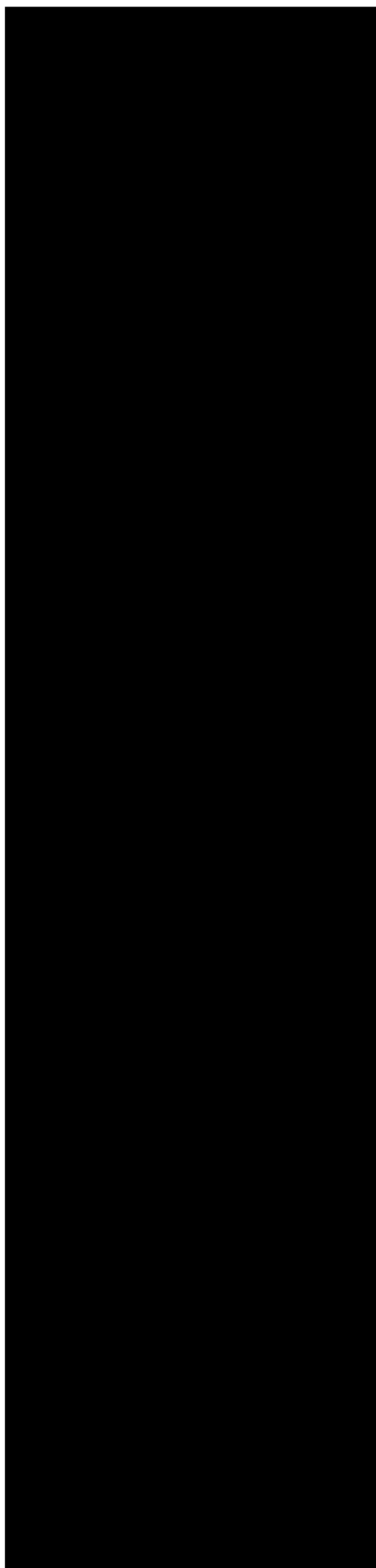
Party	Voter Name	Identity Domicile Address	Mailing Address	Ward	Voter ID	Barcode
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Ward 00 CONT.

CVA



REP SMITH, DOUGLAS CARL JR



Town of DANBURY, NH
Official Checklist

Print Date : 03/07/2018

DANBURY TOWN ELECTION - 03/13/2018

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Party Voter Name

Identity Domicile Address

Mailing Address

Ward Voter ID

Barcode

Ward 00 CONT.

CVA



Official Checklist

Print Date : 03/03/2018

GRAFTON TOWN ELECTION - 03/13/2018

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Party	Voter Name	Identity Domicile Address	Mailing Address	Ward	Voter ID	Barcode
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Ward 00 CONT.

CVA



REP SMITH, DOUGLAS CARL JR

