

United States District Court for the District of New Hampshire

LASER Docket

Law Abiding. Sober. Employed. Responsible.

ADMISSION CRITERIA

A pretrial defendant, after pleading guilty to the charged offense, may be admitted to the LASER Docket program only if authorized by the United States Attorney for the District of New Hampshire and with approval from the Supervisory Judge of the LASER Docket. The United States Attorney retains exclusive discretion to decide whether to authorize a pretrial defendant's participation in the LASER Docket.¹ Among the non-exclusive list of considerations for determining whether to authorize the admission of a pretrial defendant to the LASER Docket are the following:

1. Whether the defendant used violence or credible threats of violence or possessed a firearm, dangerous weapon, or body armor (or induced another to do so) in connection with the charged offense.
2. Whether the charged offense resulted in death or bodily injury to another person.
3. Whether the offense involves any conduct codified in Title 18, United States Code, Chapters 77, Peonage, Slavery and Trafficking in Persons, 109A, Sexual Abuse, 109B, Sex Offender and Crimes against Children Registry, 110 Sexual Exploitation and Other Abuse of Children, and 110A Domestic Violence and Stalking.
4. Whether the defendant was an organizer, leader, manager, or supervisor of others in the commission of the charged offense.
5. Whether the charged offense involves a mandatory-minimum sentence.
6. Whether the applicable anticipated sentence would exceed sixty (60) months of imprisonment.
7. Whether the defendant engaged in obstruction of justice, intimidation or retaliation against a potential witness.
8. Whether the defendant's criminal history includes a serious violent offense, such as any offense which has as an element: the use, attempted use, or threatened use of physical force against another person; involves conduct that presents a serious potential risk of

¹ A post-conviction offender may enter the LASER Docket without the express approval of the United States Attorney for the District of New Hampshire and is authorized to enter the program after receiving approval from the Supervisory Judge of the LASER Docket.

physical injury to another person; stalking; sex offenses; and child sex exploitation offenses.

9. Whether the defendant abused a position of public or private trust, or used a special skill in a manner that significantly facilitated the commission or concealment of the charged offense.
10. Whether defendant is a member of a criminal street gang, or a member of any group espousing violence against the United States.
11. Whether the defendant has a history of failure in community corrections and/or prior substance abuse treatment.
12. Whether the commission of the charged offense and/or the defendant's criminal history demonstrates that the charged offense or offense history was motivated by the defendant's substance abuse and/or addiction as verified by a Licensed Alcohol and Drug Abuse Counselor.
13. Whether the defendant has a mental illness or disorder that will significantly limit the defendant's ability to comply with LASER Docket rules and/or complete LASER Docket requirements.
14. Whether the defendant has transportation to appear in court and attend appointments as required.
15. Whether the defendant is an adult citizen of the United States or is lawfully present in the United States.
16. Whether the defendant fully accepts responsibility by truthfully disclosing all information known to him/her concerning his/her participation in the charged offense(s).
17. Whether the defendant is subject to any other federal, state or local charges.
18. Whether there are aspects of the defendant's history or characteristics not mentioned above that make participation in the LASER Docket inappropriate.
19. Whether, for any other reason, the defendant is unable to comply with LASER Docket rules and/or complete LASER Docket requirements.