

These minutes were approved at the October 8, 2024 meeting.

**DURHAM HUMAN RIGHTS COMMISSION
WORKSESSION
TUESDAY, JULY 30, 2024
12:00 P.M.
Council Chambers - Durham Town Hall**

Members Present: Chair Sally Needell, Administrator Todd Selig, Dr. Janet Perkins-Howland (on Zoom), Deborah Hirsch Mayer, The Rev. Richard Belshaw, Kathy Collins

Members Absent: Business Manager, Gail Jablonski

I. Call to Order

Chair Needell called the meeting to order at 12:02 p.m.

II. Land Acknowledgement Statement

Chair Needell read the Durham, New Hampshire Land, Water, and Life Acknowledgment Statement:

The Town of Durham, New Hampshire wishes to acknowledge the spiritual and physical connection maintained by the Pennacook, Abenaki and Wabanaki peoples to N'dakinna (homeland), aki (land), nibi (water), lolakwikak (flora) and awaasak (fauna). New Hampshire has been home to these Indigenous people for thousands of years. The residents of Durham acknowledge the ongoing hardships endured by our Indigenous neighbors after the loss of their unceded homelands which we now steward, and we will work to foster relationships to support the well-being of Indigenous people who carry forward the traditions of their ancestors.

III. Approval of Agenda

Chair Needell MOVED to ACCEPT the agenda. The motion was SECONDED by Commissioner Hirsch Mayer and it PASSED 6-0.

IV. Continued discussion of the amended Draft Resolution "Expressing the Town of Durham's Desire to Work with the University of New Hampshire to Protect the Free Speech Rights of Durham Residents and Guests and to Emphasize De-escalation During Conflict."

Chair Needell stated that this is a work session and reminded everyone that the Human Rights Commission (HRC) is just an advisory group. The HRC can suggest changes or choose no action. The HRC is not adjudicating what happened on May 1.

Commissioner Perkins-Howland suggested leaving off the last portion of the first sentence and changing it to "...de-escalation in all potential conflicts." Commissioner Collins felt it should say "...de-escalation in all public events." She felt that there are other gatherings that are not conflicts. Administrator Selig felt that the right to

freedom of speech is not unlimited; therefore, he suggested that "Right to Freedom of Speech....." be changed to the "Constitutional Right to Freedom of Speech."

Chair Needell stated that under the second "whereas" statement that she does not like the word "obligation." There was discussion on different words that could be used. The decision was made on using the word "responsibility."

Chair Needell was not sure about the "whereas" statement that mentioned the Governor of NH. She doesn't feel she knows exactly what happened in order to make this statement. Commissioner Collins wonders if this "whereas" is necessary because it stamps the resolution into a particular time period and doesn't make it more universal. Commissioner Perkins-Howland thinks it is a statement that could be fact-checked. Commissioner Hirsch Mayer thinks Commissioner Collins remarks are well taken, and they should think about making this a broad general stance. However, if you need to include the specifics, then make sure they are accurate.

Administrator Selig prefers that the town not move forward with the resolution. He does not think it benefits Durham to do this. He believes that it may hurt the town's partnership with UNH. However, he believes that what is laid out is true except for the word "disproportional." He is not aware of how UNH prepares for these events. He suggests dropping the "whereas" that refers to the governor. He feels it creates difficulty for UNH working with the governor's office. He feels the role of the resolution should be to state the Town's values despite who is protesting.

Chair Needell asked if in the last "whereas" statement, does the HRC want to be noted there? She felt that the word "should" should be changed to "could." There was a consensus among the members that keeping the reference to the HRC is ok. Commissioner Perkins-Howland would like to stop the paragraph after "May 1, 2024." Commissioner Belshaw believes there should be a reference to May 1, but it goes better under this "whereas." He would like to work closer with the State to know what had happened.

Chair Needell asked if the wording on freedom of speech from State law should be included. She also asked if the third "whereas" needs as much detail since the fourth "whereas" discusses it well. Commissioner Perkins-Howland would like to add a reference to the Universal Declaration of Human Rights. Commissioner Belshaw thinks that there could be a link to that. He would like to see a link to the HRC in the 2nd paragraph.

Chair Needell mentioned that in the "Now Therefore...." statement referencing the University working with the town, it should say "continue to work."

Administrator Selig stated that it is hard to know what the Governor was intending and what he was thinking. So, if they decide to keep the 5th whereas which notes that the Governor played a role, he would suggest eliminating the word “disproportional.”

Commissioner Hirsch Mayer stated that this resolution is not a Human Rights Commission resolution. She stated that they are advising three residents that want to bring this resolution to the Town Council.

Commissioner Belshaw feels that they need to understand the rights of people who protest and what the State responsibilities are. Commissioner Hirsch Mayer does not think this resolution addresses this subject. Commissioner Belshaw agrees that this resolution is not about the process of protesting, but he is wondering if there is there something that could be inserted to encourage working together with the State to better understand procedures.

Administrator Selig outlined the usual plans that happen for large crowd gatherings. He did acknowledge that it would not include AR15s.

There was discussion about procedure as to whether to vote on this resolution or just allow the three residents to take their comments into consideration. The HRC asked Curtis Register if he had any questions.

Mr. Register stated that he believed that the reasoning to submit the resolution to the HRC prior to the Council was to get HRC official support. He thought that this was a work session to get the resolution such that it was officially endorsed by the HRC.

There was a 10-minute recess called to allow the HRC to write their version of the resolution with Mr. Register. Commissioner Hirsch Mayer left the meeting to go home and returned to the meeting via Zoom on her phone.

After the recess, Curtis Register read the newly updated resolution which is attached to these minutes. Commissioner Perkins-Howland suggested removing “student” from the “Now, Therefore...” paragraph. Mr. Register agreed. There was agreement that Mr. Register would replace the bulleted items with a link.

Chair Needell made a MOTION that the Human Rights Commission endorse Resolution #2024-XX brought to the HRC by Curtis Register, Wayne Burton and Em Friedrichs as amended. The motion was SECONDED by Commissioner Collins and it PASSED 5-0 by roll call vote, with Commissioner Hirsch Mayer abstaining due to the fact that she could not log into Zoom on her computer and was unable to read the final version of the Resolution.

Commissioner Collins encouraged anyone who would like to know more about this to watch the last HRC meeting when the resolution was first presented by Curtis Register and Wayne Burton.

Administrator Selig mentioned that he was appreciative of the work that was done at the last two HRC meetings, and he believes it brought about a good outcome.

V. Other Business

VI. Adjourn

Commissioner Belshaw MOVED to adjourn the meeting. The motion was SECONDED by Commissioner Collins.

There was discussion about when the next meeting should be. It was decided that the next meeting date would be decided through e-mail once everyone had their schedules.

The motion to Adjourn PASSED 6-0.

The meeting **ADJOURNED** at 2:00 p.m.

Prepared by Karen Edwards, Administrative Assistant