



TOWN OF DURHAM
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RESOLUTION #2024-17 OF DURHAM, NEW HAMPSHIRE

EXPRESSING THE TOWN OF DURHAM'S INTEREST IN PARTNERING WITH THE UNIVERSITY OF NEW HAMPSHIRE TO ENSURE THAT OUR CONSTITUTIONAL RIGHT TO FREEDOM OF SPEECH FOR DURHAM RESIDENTS AND VISITORS WITHIN THE COMMUNITY REMAINS UNIMPEDED AND TO EMPHASIZE DE-ESCALATION IN ALL CONFLICTS.

WHEREAS, the Town of Durham regards protest as a form of free speech and civic engagement, and embraces the maintenance of civil rights in public discourse; and

WHEREAS, the Town of Durham has a responsibility to ensure the preservation of rights of every resident, visitor, and employee within the Town of Durham (See Human Rights Commission Bylaws); and

WHEREAS, Article 19 of the United Nations Universal Declaration of Human Rights declares, *"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers,"* and;

WHEREAS, Article 22 of the NH Constitution states, *"Free speech and liberty of the press are essential to the security of freedom in a state: They ought, therefore, to be inviolably preserved;"* and

WHEREAS, the University System of New Hampshire's values are the constant and immutable guide to its institutional decisions and actions and are reflected in the policies, practices, and cultures across the university system (https://www.usnh.edu/about-usnh/mission-vision-values#:~:text=The%20mission%20of%20the%20University,the%20people%20of%20New%20Hampshire;)); and

WHEREAS, the University of New Hampshire has established a policy dealing with Freedom of Expression as well as Guidelines on Peaceful Dissent, and strongly values free speech both in the statement of an idea and in the response to that idea and is committed to fostering vigorous debate based on facts and evidence (<https://catalog.unh.edu/srrr/student-policies-regulations/freedom-expression-guidelines-peaceful-dissent/>); and

WHEREAS, the University of New Hampshire enjoys a reputation as an institution that respects and protects free speech on campus; it is ranked third in the country for universities protecting free speech (<https://rankings.thefire.org/rank>); and

WHEREAS, State Police were dispatched equipped with military grade assets to the Durham community to address what was declared hours earlier to be a threat; and


WHEREAS, sit-ins and encampments are long-standing components of college student protest, and more broadly are a nonviolent form of seeking to address societal concerns and matters of public policy, and do not in and of themselves constitute health or safety risks to persons or property. For example, consider the suffragists, Civil Rights Movement, and military draft protestors; and

WHEREAS, the Town of Durham and the University of New Hampshire work closely together in myriad areas and have invested many years and significant funds in supporting police de-escalation training, and both Durham Police and UNH Police are nationally recognized departments whose dedication to de-escalation has the potential to greatly serve the overall community's safety, enrichment, and cohesion; and

WHEREAS, the Human Rights Commission and Town Council believe, with the benefit of hindsight, that additional steps to include conflict de-escalation measures and non-violent crowd control methods could have been enacted by University and State Police at the University of New Hampshire campus on May 1, 2024.

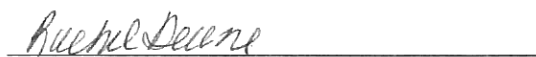
NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire, does hereby adopt **Resolution #2024-17** affirming the community's commitment to freedom of speech and conflict de-escalation and inviting the University of New Hampshire to continue to work with the Town of Durham to uphold these principles in approaching protests so that there can be consistency on and off campus in Durham.

PASSED AND ADOPTED this 12th day of August, 2024 by a majority vote of the Durham Town Council with 8 voting in favor, 0 voting against, and 0 abstaining.



Sally Needell, Chair
Durham Town Council

ATTEST:



Rachel Deane, Town Clerk-Tax Collector