

These minutes were approved at the May 30, 2024 meeting.

DURHAM HUMAN RIGHTS COMMISSION
WEDNESDAY, APRIL 5, 2024
1:00 P.M.
Council Chambers – Durham Town Hall

Members Present: Chair Sally Needell, Administrator Todd Selig, Business Manager, Gail Jablonski, Dr. Janet Perkins-Howland, Deborah Hirsch Mayer, The Rev. Richard Belshaw, Kathy Collins

Members Absent: None

I. Call to Order

Chair Needell called the meeting to order at 1:00 p.m. The members introduced themselves.

II. Land Acknowledgment 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 Belshaw and it PASSED 6-0.

IV. Public Comments

Joshua Meyrowitz, 7 Chesley Drive, mentioned that he had sent the commissioners information on what he has heard as atrocities going on in Gaza. He went through some of that information. He felt that the Human Rights Commission was being too lenient to Israel and should focus on all human rights.

Amanda Daley, graduate student at UNH living in Maine, stated that she would like the Commission to support the Council's Resolution #2024-10. She is Jewish; however, she doesn't feel that it is antisemitic to call for peace and an end to indiscriminate violence. A call for a ceasefire is not a threat to her safety.

V. Presentation from the Durham Police Department on hate crimes in Durham

Chief Rene Kelley and Deputy Chief Dave Holmstock were in attendance. There have not been a lot of hate crimes in Durham. If they receive a call that might be a hate crime, there is a specific protocol. They have to notify the Attorney General's Office. There is no RSA that allows someone to be arrested for an alleged hate crime. It has to move into criminal threatening or assault. They don't really investigate hate crimes. It is the Attorney General's Office that does the investigation. They investigate the underlying crime. There is a checklist available to the officers to determine if it is a hate crime.

Chief Kelley mentioned a couple of incidents he could remember, one happened around 10 years ago. They do have hate and bias training for officers.

Commissioner Perkins Howland expressed her appreciation to the Police for their work. She asked if someone trespasses on your property and steals a sign or flag, is that defined as a hate crime? How do you investigate that?

Chief Kelley said that he would investigate it the same as any other theft. They would notify the Attorney General's Office and let them know what they discovered. The person would be arrested for theft. Once it gets to court, if it is proven it was a hate crime, the penalties increase. The Attorney General's Office has the option of filing a suit in federal court against the person. Over the past 2 years, the number of hate crimes has increased dramatically.

Commissioner Belshaw mentioned that the Community Church has lost some pride flags. Chief Kelley stated that those thefts have not been solved. The Durham Police does work with the UNH police on hate crimes.

Commissioner Collins asked whether any crime other than assault and theft would rise to a hate crime. Chief Kelley stated that any crime can be considered a potential hate crime if it involves an injury to a protected class.

Chair Needell mentioned that she appreciated the time the Police took to identify the Zoom bombers at a recent Town Council meeting.

VI. Continued Discussion on Town Council's Resolution on Ceasefire in Gaza

Chair Needell recused herself from this discussion as she is on the Town Council. Commissioner Belshaw took over the meeting. He mentioned that he and Commissioner Hirsch Mayer and Commissioner Perkins-Howland had gotten together to craft a response to the Council's Resolution. He gave some background as to why they wanted to issue a response. Commissioner Perkins-Howland mentioned that there was disappointment in the Council's process of writing the Resolution.

Commissioner Hirsch Mayer gave the history of how the draft statement came together. Commissioner Perkins-Howland felt that it was miscommunicated that they were trying to overturn the Resolution. Commissioner Hirsch Mayer felt that the confusion may have come from the Public Comments that were given at the last HRC meeting.

The draft statement was read. Administrator Selig offered a few suggestions for changes to the statement. Commissioner Collins stated that she supports his edits. She feels that the emotion of the statement should be removed. Administrator Selig suggested the word “concerned” be used instead of “disappointed” in the first paragraph. There were additional suggestions of changes and discussion on those changes.

Commissioner Hirsch-Mayer MOVED to APPROVE the statement as amended. The motion was SECONDED by Commissioner Collins and it PASSED 5-0.

Commissioner Belshaw asked what should be done with this statement. Commissioner Perkins-Howland asked if it could be read at a Town Council meeting. Administrator Selig said that it could be added to the agenda for the Council meeting of April 15. Commissioner Belshaw also suggested that it be added to the Friday Updates. Commissioner Perkins-Howland felt that it would be good to also send it to the Chairs of other Boards/Commissions/Committees.

VII. Continued Discussion on Housing as a Human Right

Commissioner Perkins-Howland had a concept that the HRC could release a statement supporting the work of the Housing Task Force of diversifying housing stock in Durham. Commissioner Belshaw asked if the Housing Task Force has had conversations on housing as a human right. Commissioner Perkins-Howland doesn't believe so. Commissioner Belshaw suggested that some or all of the HRC attend a Housing Task Force meeting to introduce the topic. Chair Needell feels that there needs to be a statement endorsed before going to the Housing Task Force. Commissioner Perkins-Howland stated that she could come back to the next meeting with a statement.

Administrator Selig stated that there are matters of degree in how housing is looked at and whether it moves into the area of human rights. Just because someone wants to live in Durham doesn't mean it should be a human right.

Chair Needell suggested that this discussion be continued until the next meeting. Commissioner Perkins-Howland stated that she could bring a draft statement to the next meeting. There was additional discussion on how the HRC could collaborate with the Housing Task Force.

VIII. Update on February 15, 2024 and March 21, 2024 Roundtable Discussions on the Oyster River Massacre Marker.

Commissioner Belshaw summarized the process and the reason why there were three roundtable discussions. He felt that it had been a great process. He read the final draft that had been written as a result of the roundtable discussions. He gave a little more information on how the process went and what some of the tensions were between people.

Administrator Selig mentioned that the facilitators of the roundtable were concerned with the posting of citizen responses on the town website. They felt that this favored those with the time and resources to respond to a topic, whereas others might feel differently but do not have the time to comment. However, the other side of this is that the town feels it is important to be transparent in its documentation. The facilitators felt that the information should be sent to a newspaper as letters to the editor.

IX. Approval of Minutes – March 7, 2024

Chair Needell MOVED to APPROVE the minutes. The motion was SECONDED by Commissioner Collins and it PASSED 4-0 with Commissioner Belshaw and Commissioner Hirsch Mayer abstaining because they hadn't read the minutes.

X. Other Business

Chair Needell stated that they had had a discussion in the past on the definition of antisemitism. She wasn't sure if they had a desire to discuss this more. The HRC had been asked to suggest that the Council adopt the International Holocaust Remembrance Alliance definition of antisemitism. Commissioner Belshaw would suggest an agenda item for the next meeting to discuss this issue. Administrator Selig mentioned that in 2019 the Council adopted a Resolution addressing the intolerance of discrimination in Durham. He feels that there doesn't need to be an adoption of a specific definition. There was additional discussion about this.

It was decided that the next meeting would be Thursday, May 30, at 10:30 a.m.

XI. Adjourn

Commissioner Belshaw MOVED to adjourn the meeting. The motion was SECONDED by Commissioner Hirsch Mayer and it PASSED 6-0.

The meeting **ADJOURNED** at 3:10 p.m.

Prepared by Karen Edwards, Administrative Assistant