

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

DURHAM HUMAN RIGHTS COMMISSION
THURSDAY, JULY 25, 2024
10:30 A.M.
Council Chambers – Durham Town Hall

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

Members Absent:

I. Call to Order

Chair Needell called the meeting to order at 10:34 a.m.

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 7-0.

IV. Public Comments

Peter Schmidt, representative from Dover, former professor at UNH. He is very supportive of the resolution being presented today. He is not sure how much it may have changed with Todd's revisions, but he is supportive of the document that was put forward originally.

Curtis Register, Town Councilor, spoke to the resolution being presented today. It is for the support of free speech. He summarized his previous military service. He does not believe the University was fully at fault for the May 1 protest situation.

V. Presentation by Leslie Schwartz on the work of Twenty-One Senses

www.twentyonesenses.org

Danielle Heaton, founding director, and Leslie Schwartz, Durham resident spoke. Ms. Schwartz summarized her experience with invisible disabilities. She sought out and

found Twenty-One Senses on the internet.

Ms. Heaton lives in Madbury. She shared about what Twenty-One Senses does. Everyone involved either has a disability or is a caregiver for someone with a disability. Invisible disabilities are brain-based. Sensory processing issues is what they focused on. 1 in 20 people have a sensory processing issue, 1 in 6 children have a sensory processing issue. They are trying to create inclusive spaces for people to participate in events and then step away if they need to take a moment. They've created what is known as a "calm room." They've done 6 calm rooms at different Durham events. They have been training Durham Parks & Recreation staff. They've been working with UNH, as well, educating nursing students.

Commissioner Belshaw asked what happens when the calm room is too full or triggers someone. Ms. Heaton stated that there are dos and don'ts posted for the spaces. Commissioner Belshaw asked if there was a model that calm rooms are based on. Ms. Heaton stated that it is not a new concept, but bringing it into the community space is a new concept.

Commissioner Perkins-Howland asked how they could help with this initiative. Ms. Heaton stated that all the initiatives are free except the training with Durham Parks & Rec. Ms. Schwartz stated that they are seeking financial support. She sees Durham as a role model for this.

Commissioner Hirsch Mayer would like more clarity on what they are looking for financial support. Ms. Heaton stated that they come to Durham 3 times a year to create spaces at their own cost. They now charge other towns to do this. Commissioner Collins asked what the financial cost covers. Ms. Heaton stated that it covers materials and staffing to monitor the calm room. Commissioner Hirsch Mayer asked for specifics on amounts. Ms. Heaton stated that the cost is \$625 for a one-day event. Commissioner Belshaw asked if the cost of training is included in that as well. Ms. Heaton said that yes, they have volunteers that are trained to help respond to someone who is overwhelmed. Chair Needell stated that it might be good to put a proposal together for the upcoming budget season.

It was agreed that at the next Human Rights Commission meeting they would formulate a statement of support for Twenty-One Senses.

VI. Discussion of the 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" to be presented by Curtis Register.

Chair Needell stated that the three individuals proposing this resolution are coming before them as residents, not Town Councilors.

Wayne Burton spoke and showed photos of the May 1 protest event at UNH. He was concerned that there were armed State Police at the event with automatic rifles. He feels that the version of the resolution Administrator Selig created was excellent.

Adeena Ahsan, a UNH Graduate student, spoke and stated that she was on site at the demonstration. The goal of the demonstration was for UNH to divest from Israeli investments. She went through what happened at the demonstration. She indicated that the protestors did not break any laws. For her it was quite traumatic.

Chair Needell asked Wayne Burton and Curtis Register that since there were two resolutions proposed, which would they like the HRC to work with? Chair Needell stated that the HRC is an advisory group, and it was Wayne and Curtis's job to pass the resolution along to the Council. Curtis Register stated that he felt that the resolution that Administrator Selig created was adequate. He would be willing to take it to the Council. He thinks that a few changes are needed. Chair Needell stated that it is hard for the HRC to endorse a version that may change before it goes to the Council. There was additional conversation on procedure.

Wayne Jones, Provost and Vice President of Academic Affairs at UNH spoke, and he stated that he and President Chilton had seen versions of the resolution. They would support this resolution. They are very proud of their support of free speech on the campus. There were 9 protests before May 1 that were held in a safe way. They are reviewing how do we make sure that the incident on May 1 doesn't happen again. He is willing to work with the Town. Chair Needell mentioned that the de-escalation training is the same for the UNH police and Durham Police. They train and work together.

Commissioner Perkins-Howland stated that she is still unclear on certain things that happened on May 1. She would like to see the resolution be as succinct as possible, and she would like the HRC to clearly state the purpose for the resolution before taking a vote.

Mr. Burton stated that resolutions are an expression of a position that the Council takes on an important issue. The purpose of this resolution was to raise an issue and discuss what could be done about it, and that is exactly what is happening.

Mr. Curtis stated that the Council has taken notice of an incident that potentially violated the 1st amendment rights of residents and guests of this community as well as unnecessarily endangered people with the use of force that was administered. He wants to be sure that people know that the Town of Durham does not endorse actions that violate constitutional rights.

Jason Perra spoke. He stated that it is important to realize that people always have the right to protest. He does not believe that UNH protects the students' freedom of speech.

Stephanie Black spoke. She is a student at UNH. She stated that many students don't feel safe with the UNH police enforcement.

Adeena Ahsan addressed the question of permitting. She said that the protestors did have a permit, and it was revoked after some people started putting up tents. She said that it was political in the symbol of the tents but there were no laws broken. Commissioner Belshaw asked if the Governor knew about this protest before it happened. Ms. Ahsan mentioned that because of the protests at Dartmouth, he had a sense that there would be protests at UNH. Commissioner Belshaw also asked that if tents were not put up, would the State Police have come in. Ms. Ahsan stated that the State Police were on stand-by waiting to see if any tents were put up.

Chair Needell felt that she had seen a copy of the permit and it had specified no tents. Mr. Register thought it said, "no encampments." Chair Needell stated that that is why it is hard to create a resolution when you don't have all the facts.

Wayne Jones spoke and stated that it was a bit vague. They had spoken with the student leaders and asked if encampments were their intention, and they had said no. So, the message to the Governor was no. He said that the University is now looking at how to be clearer and more specific with permitting, and having better communication with students. Some students were told no tents, but not all students got that message.

Sabastian Rowan spoke and asked if freedom of speech only applies to students on campus. It was reported that the people setting up the tents were not UNH students.

Mr. Register stated that this is not a judicial body - they are not looking for 100% of the facts to state that the use of force was not appropriate. He believes that the First Amendment was violated.

Commissioner Belshaw asked about timing. Does this need to be done quickly. Administrator Selig stated that if there are still hostilities in Gaza, they will still see protests on campus. He stated that there have been discussions since May 1 between the town and UNH on the appropriateness of response. Those conversations are not connected to the passage of the resolution. He suggests that the HRC schedule another meeting in the next week or two before the August 12 Council meeting. Administrator Selig also went through the timeline of May 1st's events. Usually there is very thoughtful pre-planning done when it is anticipated that large numbers of students are going to be gathering. He said that this did not happen for the May 1st protest.

Chair Needell mentioned that this incident is also in the courts and decisions will be made there.

There was additional conversation about the May 1st incident.

It was decided that the next meeting would be a work session on Tuesday, July 30, at 12:00 noon to discuss the resolution.

VII. Discussion of Town Council Resolution #2017-19 and whether it should be re-approved by the Town Council every year.

Postponed

VIII. Discussion of how Durham Day went for the members of the Human Rights Commission.

Postponed

IX. Approval of Minutes – May 30, 2024

Chair Needell MOVED to approve the minutes as written. The motion was SECONDED by Commissioner Collins and it PASSED 7-0.

X. Other Business

XI. Adjourn

Chair Needell MOVED to adjourn the meeting. The motion was SECONDED by Commissioner Hirsch Mayer and it PASSED 7-0.

The meeting **ADJOURNED** at 12:45 p.m.

Prepared by Karen Edwards, Administrative Assistant