

Durham Human Rights Commission
Meeting Minutes
April 17, 2025

Members present: Representatives Leslie Schwartz, The Rev. Richard Belshaw, Dr. Janet Perkins-Howland, Deborah Hirsch Mayer. Also in attendance: Todd Selig, Town Administrator, Sally Needell, past Town Council Representative and HRC Chair, and Robin Vogt, new Town Councilor Representative

Absent: Representative Kathy Collins

Sally Needell called the meeting to order at 4:00 P.M. in the council chambers.

I. Robin Vogt was introduced as the new Town Council representative for the HRC

II. Approval of the minutes for the April 17th meeting was moved by Sally Needell, seconded by Richard Belshaw, and unanimously approved by the Commission.

III. Election of a new Chairperson for the Commission

Richard Belshaw was nominated by Janet Perkins-Howland, seconded by Leslie Schwartz, and approved unanimously by the Commission. Sally Needell then wished the Commission well and exited the meeting, as her tenure had ended. Rep. Richard Belshaw assumed responsibility as the Chair.

IV. Discussion with the Durham Police Department re: immigration issues and free speech protections in light of recent federal policy changes and events, incorporating questions submitted by Town Councilor Emily Friedrichs, who was present. Police Chief Rene Kelley, Deputy Chief Dave Holmstock, and Captain Jack Dalton were in attendance.

Chief Kelley gave an overview of the situation as follows:

A. The Durham Police Department does not enforce federal immigration law - the Chief clarified they enforce state laws and town ordinances, not federal immigration laws. They do not ask about immigration status during routine stops or interactions with the public.

B. Current practices for traffic stops and database checks:

- Everyone stopped gets run through NCIC (National Crime Information Center) database
- For serious criminal offenses, the police will detain individuals regardless of immigration status
- For minor civil offenses, the police will not take immigration status into consideration

C. Information sharing policies

- The department does not collect information specifically to be shared with federal agencies. Only the Chief and Deputy Chief can authorize sharing information with outside agencies.
- The department only shares information regarding specific requests, not on a proactive basis.

D. Funding implications

- The police department receives no direct federal funding

- The town of Durham as a whole receives significant funding. Administrator Selig interjected that the town receives about \$7.5 million total from the state per year for a variety of assistance and is also the recipient of some federal funding. Non-compliance with state/federal laws could potentially impact both sources of funding.

E. Relationship with ICE and federal agencies

- The police department does not participate in 287(g) programs that deputize local officers as ICE agents.
- The police will provide safety support if federal agents are in Durham making arrests but won't themselves make arrests for them.
- Federal agencies are not required to notify local police before operations in Durham, however the Chief said that a good relationship between agencies does exist on the seacoast with an expectation that the local police would be informed in the event of a visit by federal authorities.

F. University coordination

- The Chief has met with the University of New Hampshire police to align approaches on immigration enforcement
- Both departments have similar advisory guidance on handling immigration matters.

G. Durham can pass an ordinance on immigration, but state law has authority over town law. An example cited was the recently enacted NH state law allowing persons to carry a gun into a polling place, which in Durham is located at the high school where carrying guns is not allowed by local statute.

H. The meeting also included discussion about:

- Concerns from residents about ICE operations and deportations.
- Questions about communication with the public on these issues.
- Plans for future discussions and community education. The HRC representatives expressed a desire to review the information learned from the police today, other documents on the issue sent to us just prior to the meeting by one of our representatives, and get feedback from the Town Council before proceeding with our next meeting to discuss educating the public.

I. The Durham Police Department does not take pictures of protesters.

- If there was ever a concern about the legality of someone claiming that there were employed by ICE while taking someone into custody (without a warrant or proper identification), the Durham police would contact the Attorney General immediately.

VI. Indigenous Peoples Day

Janet Perkins informed the Commission that the Durham Public Library is planning a program for Indigenous Peoples Day in the autumn. Damian Costello will be presenting "Murder in Plain Sight: An Abenaki/Settler Mystery on the New England Frontier" tentatively scheduled for October 7. Back-up dates are October 21 and October 28. The Commission had a brief discussion and voiced support for this programming.

VII. Approval of Minutes from February 5, 2025 was moved by Rep. Hirsch Mayer and seconded by Rep. Janet Perkins-Howland, and unanimously approved by the Commission.

Our next meeting was set for May 15, 4pm-5:45pm

Submitted by Janet Perkins-Howland