

March 23, 2021

Meeting Open: 5:35 p.m.

Attendees: Dottie Morris (leaves at approx. 6:00 p.m.), Devon Chaffee, Charlie Dennis, Maria Devlin, Sharon Harris (Leaves at 6:44 p.m.), James Maggiore, James Morse, Pawn Nitichan, Robert Quinn, Eliezer Rivera, Allyson Ryder, Sean Locke, Ahni Malachi

Quorum: Yes

Approval of Minutes: 10 in favor, 0 opposed, and 3 abstentions (James Maggiore, James Morse, and Pawn Nitichan)

Update on Honoring Rogers Johnson:

- Money issue is still outstanding, possibility of meeting between Allyson and Sharon with Black Heritage Trail leadership to make sure that there is a way to properly earmark the funds.
- Issue of the Council as a whole fundraising, how do we want to go about doing that?
 - Ahni will contact administrative support for council to see if we can allocate funds.
 - Council members agreeing to donate some funds?
 - We can certainly have members inform the public about the efforts and encourage them or invite them to contribute.
- James Maggiore has mentioned this to the legislative caucus and there was general support for this, could lead to an excess of funds
- What if there are excess funds?
 - Upkeep for the memorial
 - Allowing funds to go the Black Heritage Trail for general operation
 - Setting some funds aside to go to a scholarship fund in Rogers's memory
 - Sharon will discuss other options with Rogers's wife, Poppy.

Legislation:

- House Bill 266, relative to enforcement of immigration laws and the prohibition of sanctuary policies
- Presentation led by Devon and Eli:
 - Bill would prohibit municipalities and the state from enacting policies that would limit interaction with civil immigration authorities
 - Goes against the grain of a lot of law enforcement policies in the State, for example State Police's Fair and Impartial Policing Protocols, which involved years of work and interaction with stakeholders.
 - Does not provide resources to law enforcement agencies to assist in cooperation with federal immigration authorities.

- If we were to take action, wait and see what happens on the floor of the house where there will be debate after a closely divided committee vote (10 OTP – 9 ITL).
 - The policies in place are in compliance with federal law and the requirements of state and local law enforcement to enforce federal immigration laws. This bill goes beyond to say that local law enforcement have an affirmative duty to ask about immigration status—or more specifically, cannot prohibit agencies from “asking the question.”
- Question regarding the current process and practice, how does all of this work?
 - Clarification that this does not apply only to individuals who have been detained or are incarcerated but also, includes someone pulled over on the highway and stopped by police.
 - Road side stop: An officer contacts ICE and inquires if ICE would like the individual detained, and ICE would say “yes, detain the person,” which led local law enforcement to detain the individual. Because immigration is generally, a civil matter, fair and impartial policing has ended this inquiry. This differs though from criminal matters where a notation is made in NCIC or there is a warrant out for a person’s arrest, then the person would be detained pursuant to the criminal charge.
 - Bill does not preclude law enforcement from engaging in other criminal investigations.
 - Law enforcement do not get involved in civil matters and immigration, generally, is a civil matter.
 - No information necessarily about how houses of correction or the state prison handles detainer requests for incarcerated individuals.
 - Primary argument in favor of this bill is that it is designed to stem the tide of criminal acts by undocumented immigrants.
 - The big issue is roadside investigation, as opposed to general information sharing as the criminal process moves along.
- Fair and impartial policing policies in place and how they were developed:
 - The goal was to bring together communities affected by immigration issues, ACLU, Department of Safety, Department of Justice, and more to work through the Fair and Impartial Policing policy.
 - Local police departments are looking to this as a policy to adopt and implement that would not have the same resources.
- Listening sessions where these issues were raised and we should carry those forward and the impact of the lack of fair and impartial policing policies led to inquiries and perceptions of harassment.
- Regarding the enforcement by the Attorney General’s Office, there is no designated unit that would be responsible and it would be, if this became law, in the discretion of the AG to determine who would bear this responsibility.
- The NH Attorney General’s Law Enforcement Manual has incorporated the Fair and Impartial Policing policy of State Police as a recommendation for other law enforcement agencies to adopt and implement.

- This raises issues of public safety because undocumented immigrants who may be victims of crime or witnesses to crime will be less likely to cooperate or report criminal activity.
- **Motion to take a position in opposition to the bill (Jim Morse)**
 - Take an advisory position regarding, question of whether we as a council can take positions on specific pieces of legislation as a body versus advising the Governor regarding our concerns and making a recommendation to him.
 - **Friendly Amendment: Council directs Exec Comm to write a letter to the Gov. urging the Governor to oppose to HB 266 should the bill pass the House (amendment proposed by Devon). Accepted (by Jim Morse).**
 - **Motion approved unanimously at 6:44 p.m.**
- Question of how to honor the issue of pieces of legislation that challenge the idea of inclusion in New Hampshire.

Subcommittee Updates:

- Law Enforcement/State Actor Subcommittee:
 - Working with Franklin Pierce University student group to coordinate and hold a session with the students at Franklin Pierce about the issues that are impact the current climate with law enforcement.
 - Will be a meeting with Franklin Pierce students on April 26 (next meeting date) and the group will moderate the conversation while Council members participate.
 - Virtual Event.
- Department of Safety has been doing podcasts and public outreach and informing about their activities.
- No updates from GCERT and Education folks.
- Oyster River has implemented a policy incorporating anti-racist practices that Jim Morse would like to circulate to the Council to review and provide some input.

GACDI's Direction Going Forward:

- Move this to the May Meeting.
- Ahni will email to solicit input from Council members regarding direction of Council going forward.

New Business:

- None

Public Comment:

- None

Next Meeting: Tuesday, May 25, 2021, at 5:30 p.m.

Adjourn: 7:12 p.m.