

CONCORD MONITOR

Report: UNH likely violated students' rights during protest arrests last spring



Protesters at the University of New Hampshire demanded on Monday that university Police Chief Paul Dean resign following what they claim was an assault on a student at a protest last week. JEREMY MARGOLIS

By JEREMY MARGOLIS / Published: 01-16-2025 1:29 PM Modified: 01-16-2025 2:05 PM

The police response to a pro-Palestine protest at the University of New Hampshire last spring that ended in a dozen arrests likely violated students' free speech rights and should be investigated by an independent body, a university working group concluded this week.

“For the institution and its members to mutually agree to move forward and begin repairing damaged relationships, there must be accountability and acknowledgment of the harm caused to all who have been impacted,” the group of administrators, faculty, and one student wrote in

a [report](#) released on Wednesday.

The group also called on university leaders to assume control of the campus police department, which currently operates under the purview of the Durham Police Department. Over the last 10 years, the department has consistently had one of the highest arrest rates of any public university police force in the country, a [Monitor investigation](#) conducted last year found.

The working group's multi-month review – which was initiated by university President Elizabeth Chilton – examined what occurred before, during, and after the May 1 protest.

“In the coming days, I will work with my executive team and leaders of key campus units, including the Division of Student Life and the UNH Police Department, to evaluate the recommendations and propose specific actions for strengthening our commitment to free speech, expression, and campus safety,” Chilton wrote in a [statement](#) following the release of the report.

University spokesperson Tania deLuzuriaga declined to comment on behalf of the university, including its police department, beyond the statement Chilton made.

The report offered a series of recommendations on free speech policies at UNH, including that the university adopt an official policy of institutional neutrality, an approach taken by a number of universities in the aftermath of the pro-Palestine protests that swept campuses last year.

However, the group devoted most of its report to reviewing the police response to the protest, which ended in the presence of state police in riot gear and the arrests of 10 students, some of whom were taken into custody with force.

The working group members were especially critical that university leaders engaged state police, describing that decision as “an institutional mistake” that “resulted in an excessive use of force against student protesters who did not represent an immediate safety risk or threat.”

The group also examined the actions of now-former Police Chief Paul Dean, who [departed](#) the university last week to take a post in Gov. Kelly Ayotte's administration. Dean had weathered criticism from some students and faculty for his actions that day, which involved physically engaging with protesters when he spotted one holding the flap of a tent.

“Chief Dean's actions amid the protestors where he can be seen on video tussling with a small group over a tent flap objectively escalated the tension, emotion, and stakes,” the group wrote.

Among its eight recommendations regarding the university police, the group called on all officers to “always be in uniform.” Dean had been criticized for being in plain clothes that day, a decision

he had previously said was made at the request of administrators whom he declined to identify.

Dean was among the several people who agreed to an interview with the working group. Former university President James Dean – no relation to the former police chief – declined the group’s interview request.

The 16-member group, which was chaired by Chief Diversity Officer and Associate Vice President Nadine Petty, included members from the highest levels of university administration, including Dean of Students Michael Blackman. Not all of the findings and recommendations received consensus from the entire group.

A previous Monitor report found that oversight of the university police department is legally murky, with some responsibilities falling to school administration and others falling to the Durham Police Department.

Dating back to when UNH established its police force in the 1920s, the state has granted the department its legal authority as an offshoot of the Durham Police Department. Unlike a campus security force, UNH officers carry handguns and can use lethal force.

Chilton, who became president last summer, said in an interview in September that she was unsure if she would have the direct power to discipline officers if they were found to have engaged in misconduct. University System General Counsel Chad Pimentel later clarified that “if a police officer is found to have violated a university policy, the university I believe could take action.”

“The UNH President should have full authority to hire and fire officers, aligning oversight with financial responsibilities,” the working group wrote in its report, acknowledging that this shift may require legislative changes and a renegotiation of the agreement with Durham.

Because of the existing legal arrangement, the group called for the Durham police chief to “solicit” the independent investigation of the UNH police department’s actions on May 1 and in its aftermath.

Under that scenario, it’s unclear whether UNH or Durham would pay for that investigation.

In September, Chilton expressed confidence that an independent investigation was unnecessary, in part citing its cost of \$150,000. However, she said at the time that she would “keep an open mind” on next steps following the working group’s report.

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