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Lockdown in Manchester is a Slippery Slope

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Lockdown in Manchester is a slippery slope

We should be cautious about trading liberty for security

By **RISA EVANS**
For the Monitor

Liberty. Security. Both are essential to a good life. But of course, neither is absolute, and at times circumstances demand that a society trade some measure of liberty for security.

The tricky part is deciding when and how to draw the line.

Specifically, what sorts of circumstances demand a sacrifice of liberty for security? How much sacrifice is acceptable, and how much is too much? Who should decide whether a given situation demands that liberty be sacrificed, and through what processes should such decisions

be made and reviewed? Any sacrifice of liberty – however brief – potentially sets a precedent for similar and greater sacrifices. Thus, whenever liberty is sacrificed, conversation about these questions becomes important if we wish to avoid a gentle slide into tyranny.

On May 13, questions about the relationship between liberty and security were brought to the fore when a section of Manchester was placed under what sounds like the equivalent of martial law following the shooting of two police officers about 2:30 a.m.

According to news reports, the shootings occurred on the city's west side, and the lone gunman fled on foot. A "shelter in place" order was issued, school was canceled, and

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Police stand guard on May 13 after two officers were shot in Manchester.

Lessons from the Manchester lockdown

MANCHESTER FROM D1

many west side residents bunkered in their homes while heavily armed law enforcement officers hunted for the suspected shooter, combing through cars, trash cans and yards as helicopters circled overhead.

Thankfully, neither of the shooting victims suffered life-threatening injury, and the police were able to apprehend the suspect without additional violence. The shelter-in-place order was lifted about 10 a.m.

Now that the event is over, it's time to examine whether the circumstances truly demanded the lockdown and assess whether the lockdown sets a good precedent.

Proponents will argue that the lockdown was necessary to protect the public while police searched for a dangerous criminal. But while this justification may have served at the start of the lockdown, what raises additional questions here is the timing.

It turns out the suspect was captured about 5 a.m.; that is to say, he was in police custody for a full five hours before residents were allowed to return to their normal, daily lives.

During these hours, authorities did not inform the public of the suspect's capture or lift the shelter-in-place order. Instead, they apparently continued their activities on the west side unabated, while residents remained in their homes, unable to exercise the basic freedom of walking down the street.

Why the lengthy delay? Was the continued lockdown essential for public safety? Should it set a precedent for

future lockdowns?

According to a local news report, police explained afterward that the continued lockdown was "critical to gathering evidence to preserve the integrity of their investigation."

This explanation suggests that the primary purpose for continuing the lockdown after the suspect was caught was not to protect residents, but rather to gather evidence for a criminal prosecution. If so, it's time for a robust discussion about whether in the future the lockdown of entire neighborhoods should be permitted as a tool of criminal investigation when the public is not in danger.

It may be that after the suspect's capture, authorities in Manchester continued the lockdown because they knew of an ongoing threat that has not yet been revealed. If so, then the full justification for the continued lockdown should be disclosed to the public now.

Moreover, even a public-safety justification should be the subject of scrutiny and discussion. Threats to public safety are nothing new. They come in myriad forms, and reasonable minds can differ about how significant and certain a threat should be before it justifies a wholesale sacrifice of liberty like a lockdown.

The lockdown in Manchester could set a precedent for the rest of New Hampshire, and questions about our willingness to trade liberty for security are more pressing than ever.

(Risa Evans is an associate professor at the UNH School of Law and a former public defender.)