



City of Keene

New Hampshire

December 15, 2011

Ian Freeman
63 Emerald Street, #458
Keene, NH 03431

Re: Letter of November 15, 2011

Dear Mr. Freeman:

Your letter entitled "Request for Apology and Proclamation" dated November 15, 2011, has been referred to me by the Mayor, P. Dale Pregent, for an appropriate response. The letter written by you and apparently also on behalf of an entity called "the Shire Society," seeks an apology from the City of Keene with respect to the incident that occurred during a City Council meeting in the City of Keene Council Chambers on August 4, 2010.

At the time of the incident, you and others of the so-called Shire Society, engaged in a well-publicized event apparently intended to protest the prohibition of the possession of alcohol on public property. During the event, you and the others sat in the front row of the audience section, and in unison and upon signal toasted and drank from containers that were clearly intended to be beer bottles. You continued to engage in the toasting and drinking activity despite multiple requests by the Chair of the meeting, Mayor Pregent, to cease and to respect the decorum of the proceedings. When you refused to cease the activity, or to remove yourselves peacefully from the room, the Mayor requested that you be arrested by the Chief of Police. Your arrest was occasioned by your own disruptive behavior and by your refusal to comply with a legitimate request by the Chair of the meeting, and for no other reason.

The County Attorney has decided not to proceed with a criminal prosecution of you in connection with that event. You believe that because the County Attorney has decided not to proceed with the prosecution, you are entitled to an apology from the City of Keene. This request is based upon a misconception of the difference between a criminal act and a disruptive act. Simply because the County Attorney has determined that there may not be sufficient evidence to convince a jury beyond a reasonable doubt that you committed a crime, does not make the actions of you or your compatriots acceptable, appropriate, and non-disruptive to the City Council proceedings. Your intention was to physically mock and interfere with the proceedings and the participants, including those individuals elected to serve the interests of the community, and others of the public who did not share your particular views, or appreciate the manner in which you expressed them. It was clearly apparent that that the consensus of those present, including members of the public, was not in support of your actions, and yet you persisted. Appropriate methods exist for you and other members of the so-called Shire Society to express your views and opinions. The City understands that you may not wish to avail

yourself of those other appropriate methods. In turn, you should understand that the City will take necessary steps to protect the integrity of its proceedings whether or not those steps ultimately result in a criminal conviction. Accordingly, the City declines your request for an apology.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T. Mullins', written over a horizontal line.

Thomas P. Mullins
City Attorney

TPM:bd

Cc: **The Honorable P. Dale Pregent**
John MacLean, City Manager
Ken Meola, Police Chief
Patty Little, City Clerk