

EDITORIAL

A crusader for the public's right to know

How much of what goes on at town hall should ordinary citizens get to know about? How much of what happens in a courtroom – and how much of what's buried in the court clerk's files – should people get to see? How much of the state government's business should be available for public scrutiny?

The short answer: nearly everything.

Trouble is, reasonable – and sometimes unreasonable – people can disagree over the specifics. In New Hampshire and across the country, there will always be public officials working hard to keep the public's business from the public. That's where lawyers like Bill Chapman come in. And thank goodness.

Chapman, who has long represented the *Concord Monitor* and other news organizations, will receive the annual First Amendment Award this evening from the Nackey S. Loeb School of Communications in Manchester. Chapman, who has fought for open government in New Hampshire for nearly four decades, is well deserving of the honor. The beneficiaries of his hard work, after all, are each and every resident of the state – citizens who have the right and ability to learn more

The work of attorney Bill Chapman has benefited every resident of the state.

about the workings of their government and court system because of his efforts.

Chapman, a lawyer with the Orr & Reno firm in Concord, leads a small New Hampshire fraternity of lawyers who are expert in the First Amendment and the state's right-to-know

law. He has argued dozens of cases involving public access to records and government proceedings, and his name is on many of the critical state Supreme Court cases establishing the rights of the press in New Hampshire.

In 1982, for example, Chapman successfully represented two journalists working to keep secret the identity of a confidential source. The case was decided first by David Souter – then a judge on the superior court – and then affirmed by the state Supreme Court. It established the right of New Hampshire journalists to assert a privilege against disclosing confidential information in criminal proceedings under certain circumstances.

In 1977, Chapman represented journalists who wanted to see a deposition of a plaintiff in a libel suit. The plaintiff was the governor, Mel Thomson. The court ruled that once the deposition was filed in court, it was just like any other document and presumptively available to the public. The journalists got what they needed.

More recently, Chapman, on behalf of the *Monitor*, helped establish the rules by which the press – and the public – would be able to evaluate the new state law that allows the state to keep sexual offenders locked up beyond their prison sentences. Public access, both to the courtroom and the court files, the state Supreme Court decided in 2007, “will play an important and positive role in upholding proceedings under the Sexually Violent Predators Act.”

Those are the cases that make the headlines. Our more typical interactions with Chapman are the ones the public never even hears about: conversations about how best to tackle legally and ethically sensitive news stories. And as Chapman works to keep journalists out of court, his goal is the same as ours: getting important news into the newspaper and in front of the public.

A free press is crucial to democracy. Efforts to thwart the work of journalists are really efforts to thwart the people's right to know. Bill Chapman's high-profile cases and more quiet advice to reporters and editors have helped the press in New Hampshire do its most important work. For that, journalists and the public owe him thanks.

MY TURN

Where's all the trash? I have a few ideas

By **ARTHUR ROTHSCHILD**
For the Monitor

Concord should be commended. Recycling is soaring and trash has been halved. The city's environmental footprint has been reduced, and its finances are looking stronger. And, from the looks and sounds of it, most residents agree that pay-as-you-throw is a better and fairer way to pay for trash.

There's just one thing: Where did all the trash go? Recycling, as it's been pointed out on these pages, hardly accounts for all of it.

Because Concord residents now pay for everything they dispose of, the incentive is certainly there to put out as little trash as possible. Recycling helps. And so does buying more frugally and choosing products with less packaging.

But there are many other ways to lighten the load, too. Look at organic matter, for example. Yard waste makes up 20 to 30 per-

cent of the solid waste of most municipalities throughout the United States, while food waste makes up another 8 to 9 percent. When Middletown, R.I., went to a pay-as-you-throw program last year, the amount of yard waste removed from the waste stream increased dramatically. Concord residents are now more thrifty – and lawful – about keeping their yard waste out of their garbage bags – by composting twigs, leaves and food waste and leaving grass clippings on the lawn.

That's not to say folks are not also hoarding some of their trash. And, thank goodness they are. Instead of the wild old days of throwing away unworkable computers, computer accessories and other electronics, today people in Concord are storing these items until the next free NHTI Electronics Recycling Day comes around.

They're also holding onto clothing the kids have grown out of, and unneeded fabrics and linen, used curtains, and old shoes. Why?

Because folks in Concord know that plenty of organizations in town will gladly accept their donations.

They're also holding onto old musical instruments and board games and books that they've lost interest in. Why? Because next spring, they – and more of their neighbors than ever before – are planning a garage sale. And just like the residents in the more than 270 other WasteZero pay-as-you-throw cities, it's a safe bet they're also sending more of their business to local shoe and bicycle repair shops, tailors and small appliance repair shops – more reasons why pay-as-you-go is good for Concord.

Where did all the trash go? Look around. Some of it may be the grass clippings you see spread over your neighbor's lawn.

(Arthur Rothschild is manager of public policy at WasteZero, which supplies Concord's purple pay-as-you-throw trash bags.)



LETTERS TO THE EDITOR

Inhumane treatment

I am concerned about how budget cuts are ultimately going to affect mental health services for people in New Hampshire. I had a recent experience that demonstrates the reasons for my concern.

I accompanied a young child to the emergency room at Concord Hospital in an attempt to admit him to the New Hampshire Hospital. We were held in a small room where we waited for approximately seven hours. The reason for the wait was that we needed to be interviewed by a therapist from Riverbend, and there were several cases that needed to be screened prior to ours.

There is limited money available for mental health services, and Riverbend is again on the chopping block, receiving fewer state funds.

After the wait and the interview it was deemed appropriate for this child to be admitted to protect himself and others. Unfortunately the two pharmacists at New Hampshire Hospital were ill so he could not be admitted. The choices were to have Concord Hospital pick up the cost for an overnight or have his mother take him home where she would be responsible and put in a dangerous situation.

If this is the best we can offer, it is not good enough. We have recently cut state employees and cannot pay our pharmacists competitive salaries. We cut money to agencies that help the most vulnerable. The choices are difficult, but having a small child wait for seven hours for help when it is most needed and then being able to offer nothing just seems inhumane.

SUSAN SEIDNER
Pembroke

Important hearing on school charter

The Concord School District charter is controlled by the Legislature – one of only three municipalities in New Hampshire with this unusual arrangement. The Legislature has appointed a commission to review the issue and report back regarding whether the Legislature should keep this authority or give it back to Concord.

The commission must make a recommendation by Dec. 1. At its last meeting, I was the only member of the public in attendance, perhaps due to lack of media coverage of the meeting dates and content.

This is one of the most significant issues to come before Concord in 20 years. It could put control over the school district charter back in the hands of Concord voters and provide an opportunity for improving the charter, which has not existed for decades. The commission must hear from the

community so it can give an accurate report on community sentiment to the Legislature. The commission is meeting tonight at 6 in the city council chambers on Green Street to hear public testimony.

Commission members are considering these options:

Should the Legislature give the city control of its own school charter? (If yes, the city will need its own charter group to set up local city procedures for any future changes to its charter.)

And, if the charter comes back to the city, should the commission (1) recommend to the Legislature the specific process the city must use to set up its own charter commission or (2) simply direct the city to establish its own Concord process to elect a city commission to set up local procedures for amendments.

I hope many Concord School District residents will attend the meeting and offer their points of view.

JACKIE TEAGUE
Concord

Take school charter back from state Legislature

Tonight, the legislative commission analyzing what to do with the Concord School Board charter will hear from residents for the last time before rendering a recommendation. After months of discussion, the commission is eyeing some options. But one clearly stands out.

The school board charter should be taken out of the Legislature's hands and amended by adding a 49B amendment process to it. This would allow citizens to collect signatures in an effort to bring proposed changes before the voters, just like virtual every community in New Hampshire and many across the country do now.

Having attended some of the commission's hearings, watched the meetings on cable and read over the meeting minutes, I'm surprised that some commission members believe otherwise and continue to insinuate that things are just fine. Some have even gone so far as to suggest that the solution is the creation of an elected charter commission that could alter or offer no changes to the charter, dragging the process on until 2013.

It is important that members of this commission hear from the public. Please attend the meeting tonight in the city Council chamber and tell them that we, the parents of school children in our community, are more than capable of handling these responsibilities – and that we should be treated as second-class citizens no longer.

ANTHONY SCHINELLA
Concord

Thanks, lawmakers

We owe a big vote of thanks to U.S. Reps. Carol Shea-Porter and Paul Hodes and their colleagues who cast their votes for health care reform with the public option.

A lot of people who had no health insurance and no way to afford it, people who have had to file for bankruptcy because of huge medical bills, people who were shut out of health insurance because of pre-existing conditions – all these people can begin to see some hope on the horizon now. It's been a long, tough battle, but Shea-Porter's and Hodes's care and concern for the millions of under- and uninsured in this state and across the country is beginning to see results. Let's hope that the Senate will do likewise.

THEA ALOISE
Gilford

Hypocrisy

Thank you, Gerri King, for your letter about the public option in the ongoing health care reform effort (“Fair is fair,” *Monitor*, Nov. 9).

You got right to the heart of the hypocrisy. Anyone on Medicare or Medicaid or who receives veterans health care benefits is on a government-run plan. All valuable public options, and I'm all for them. To be against other citizens enjoying the benefits they receive doesn't seem right.

Speaking of hypocrisy, I am floored by members of Congress who are set for life with premium health care and more than comfortable pensions having the nerve to debate what the rest of us should have.

We should have what they have, or they should have to “downsize” to whatever they deign to make available to their constituents.

JENNIE MASON
Contoocook

The *Monitor* welcomes letters to the editor on matters of public interest. The length limit is 250 words, and all letters are subject to editing and condensation. Letters must include an address and phone number. Send to letters@cmonitor.com; write to Editor, Concord Monitor, P.O. Box 1177, Concord, NH 03302-1177; or fax to 224-8120. Letters chosen for publication will also be published at concordmonitor.com.

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