

## Foreword

The title of this report, “Whose City is This?” comes from a letter from Jeananne Farrar. In it, she comments on the need to preserve and protect our historic buildings. Such things as color schemes and signage, the expansion of the Keene State College campus on Main Street, and the inevitable march of time all play a part. Her message is simple and consistently fresh. It’s not just about the immediacy of the moment or the ownership of the land, it’s about who we are now...and through conscious effort, what we will become.

This concept is equally true when we apply it to Central Square and the downtown in general. Rude behavior, punctuated by obscenities and name calling, are just the tip of the iceberg. Criminal mischief and other more serious offenses have also been observed, once again prompting the average citizen to ask, “Whose City is This?”

The following reports submitted by individual City departments are meant to be a starting point for a discussion that must take place. Although each report presents a unique perspective, together they form an important and insightful commentary on the challenges faced by the City. From it, you will see that the City has a good idea of what needs to be done in terms of park maintenance, code enforcement, and policing. A few additional tools may be helpful in this regard, but the primary focus should be on stimulating a community discussion that has roots in the City’s Comprehensive Master Plan (community’s vision) and the safeguarding of an individual’s rights to assembly and free speech.

There are no simple answers. We can’t lock the problem up and throw away the key. And as a community we cannot ignore it either. Anger, frustration, and fear are not policies that lead to a safe and sustainable community. Getting involved, spending time on solutions, and redirecting resources over time, may be the best course of action in answering the question, “Whose City is This?”



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## **DISRUPTIVE BEHAVIOR - CENTRAL SQUARE AND DOWNTOWN AREA**

### **Introduction**

In 2009, Keene was recognized by the American Planning Association for having a Central Square that is considered one of 10 “Great Public Spaces” in America. It is postcard perfect. It exemplifies exceptional character, serene and bucolic, and since the late 1800’s it has been at the center of civic affairs in Keene socially, economically, and politically. As stated in the award, “One of the most important roles of a public space is to bring a community together, and Central Square does just that” - - not only during special events, but throughout the year, for public expression, passive recreation, and a place of civic pride. In short, Central Square is one of those “quintessentially public spaces” long recognized in our democratic society as a place to gather and to express ourselves, individually or collectively, on the issues of the day, or to simply relax and enjoy others company.

Central Square has again brought our community together but not just for its beauty. The community is concerned about unruly behavior in Central Square and in other parts of the downtown area. Such behavior is not new, having been previously experienced in places such as the Skate Park, bike path, Railroad Square, and downtown neighborhoods. It is clear that our community cares and has expectations of proper conduct. The downtown, parks, sidewalks, and open spaces are for everyone to enjoy the freedoms that we have. Destruction and disruption are not part of that expectation.

In the 1980’s and early 1990’s Keene’s downtown was not known as a good place to be, but that all changed by demands of the public and wise choices of our elected officials. With the reconstruction of the downtown and economic improvements, today Keene’s downtown is the heart of the Monadnock Region – thriving, dynamic, and vital. It is the hub of a fifty-mile, three state radius with a vibrant mix of restaurants, retail, entertainment, housing, as well as, centrally located services.

The issue of unruly behavior and disregard for public property is not only a problem for Keene; it is a State and national problem. New York City addressed this issue more than 10 years ago, and currently a New Hampshire State Senator is considering attaching a new penalty to the State’s criminal mischief statute. A new category would be added making defacement of State or municipal property a Class A misdemeanor, with a minimum \$1,000.00 fine in addition to restitution. This is all due to a small group of individuals who do not respect public space and property.

This report addresses more than the issues of “Central Square,” it addresses how we find effective solutions to our citizen’s concerns of crime, vandalism, illegal drug and alcohol activity, noise, disrespect, and general quality-of-life issues in the community. This is clearly not just a City staff or police problem, especially in this time of limited

resources. It is a shared responsibility that needs to be fully discussed and addressed. As the downtown further evolves it is the responsibility of all of us, as citizens, to work together for a beautiful public space that is diverse, tolerant, and respectful of others.

This report was prepared by City staff highlighting the facts and current issues, actions taken by departments, cost of maintenance and enforcement, while exploring possible actions for consideration. The purpose of this report is to be a catalyst for the beginning of a community discussion and the development of a community plan of action, which balances the diverse legal rights of the public to the use of Central Square, and the right of the community to a safe and secure environment. This will not be a short term fix and it will not be effective until everyone involved understands that our community really cares and respects the rights of all our citizens, but, at the same time has clear expectations of conduct and is prepared to enforce the desires of the community.

## **Human Services and Youth Services Department**

The downtown area has thrived over the past ten years. There is a vibrant mix of retail, restaurants, entertainment, housing, as well as centrally located services. While the recent gatherings on Central Square have brought increased attention to the area, this mix of activity has existed for years.

It appears that during different times of day there are many different groups using the Square. While some may be perceived as “youth”, most may actually be young adults in the 18 to 21 year old range. In New Hampshire, offenses such as criminal mischief, simple assault and disorderly conduct by an individual seventeen years of age are regarded as adult offenses.

This age group, and the behavior of some, has caused difficulty in the past in and around the Skate Park, at Railroad Square and at the basketball court area at other times. The issues seem to have moved to a more visible and central location – Central Square. Some of this age who are in the Square may be unemployed; many of this age have part time or full time work and most have a place to live with parents. Many of this peer group drive, and since Keene is the hub for entertainment and food, this is where they meet with their peers.

While this area’s unemployment rate has remained lower than the nation’s, this age group traditionally has a higher unemployment rate. Better information on the demographics of the group would help in identifying whether this is contributing to the congregation.

As to younger teens (ages 14 to 17), most are now back in school and less likely to be around Central Square during the early daytime and later evening. This age group may be more visible between the times when the school bus drops off students near Central Square and five o’clock when working parents pick them up to head home.

Youth Services early intervention programs have assisted youth and families for over 30 years by helping to get young teens that are charged with a crime or delinquency back on track. Over the past decade, the number of juvenile petitions filed in Keene District Court dramatically decreased (from 297 petitions in 2000 to 87 in 2010). Although, we are seeing fewer families due to decreases in the local young adolescent population and the decrease in police/court referrals, the youth we serve present with typical teen delinquency charges and behaviors. The numbers do not indicate an increase in illegal or criminal behavior in this age group but rather a decrease.

Several people on the Square have been identified as homeless. Southwestern Community Services (SWCS) Homeless Services staff and Outreach Worker have regularly visited the Square over the past weeks during different times of the day. Their impression is that a very small number of people using the Square are unsheltered and when approached, those few have not accepted shelter outreach services.

In addition to managing the local shelters, SWCS staff is part of the Monadnock Homeless Coalition and the state-wide Homeless Services Network. They are ready to serve anyone who is homeless or at risk of homelessness. Anyone needing this type of help can dial 211 and be connected to a Homeless Outreach Worker. While many shelters throughout the State are at full capacity, everyone who has come into the City of Keene Human Services office seeking shelter has been connected to SWCS for housing. Laurie Jewett, Coordinator of Homeless Services, will participate in any community forums to explore options.

Others on the Square have been identified as disabled veterans. The Vet Center has an active presence in Cheshire County. The new Vet Center at 640 Marlboro Road opened in October for medical, counseling, housing and vocational support. In addition, there are two Vet Center representatives, one who will do outreach to veterans in the community and David Cope, the new Readjustment Councilor, who is available at the Center. Both cover the Keene area. I spoke with Mr. Cope regarding vets who may be on the Square and who may be in need of services, and he is ready to help in any way. He can be reached at 1-802-342-2100 or 358-4950.

Since the recent attention to the Square, it has been observed that more citizens are using and passing through Central Square. At the same time, the number of those hanging out appears to be lessening with the increased visibility and changing weather. One group can be seen in the afternoon playing hacky-sack on the grass. Others seem to congregate on the Bandstand. Because of the variety of people using the Square, any solution may require ideas directed toward the needs of individuals. As the community begins to explore options, a better understanding of the demographics and needs may help to recommend the appropriate direction.



## **Keene Police Department**

In years past there have been numerous calls to the police relative to various individual locations such as the Skate Park and the Basketball Court located on Water Street, regarding the behavior of those who used it or were drawn to it as a place to socialize. Behaviors such as inappropriate language or actions, disorderly behavior, and the feeling of intimidation were present. Increased presence by the police, as well as attention from other City departments eliminated a lot of the issues. This required constant monitoring and police presence in order to keep the issues in check.

Problems then began presenting downtown itself, with numerous complaints of bikes or skateboards on the sidewalk as well as groups of people hanging out and exhibiting poor language and behavior. The focus of the police shifted from the Skate Park and basketball court sites to the entire downtown. Regular downtown foot patrols by the police were implemented in an effort to maintain a constant presence. This was accomplished without additional personnel and occurred when call volume allowed. This endeavor was successful, as downtown citizens and business owners expressed their pleasure and sometimes relief with the increased presence of a police officer downtown. Indeed this downtown presence helped to alleviate the feeling of intimidation that was felt by some in our downtown community.

Historically, Central Square has always been an attractive space for those wishing to express their first amendment rights to free speech and assembly, protesters or activists wishing to exercise their beliefs or opinions, and to a lesser extent those wishing to enjoy the outdoor space for varied reasons. Use of the space in general has been respectful and without issue; the community perhaps not agreeing with the message(s) of any group at any given time, but respectful of the right to express it. The space itself has been generally respected as well, and those utilizing it have generally maintained it appropriately.

Following the homicide of a local 17 year old in the City, the use of the space changed dramatically. It became a venue for those dealing with this tragedy to gather and grieve. Much of this group was the same that had been hanging out or socializing at the Skate Park. As this group settled in, behaviors that many in the public felt were inappropriate and unlawful began to increase. Reports of foul language, inappropriate behaviors such as public urination, flashing of body parts, and in general terms - raucous behavior, were reported; again an overall feeling of intimidation by those not associated with the group was felt and a sense of the group "taking over" Central Square developed. As a result, there were increased disturbances, altercations, and arrests.

As the grieving process was satisfied, the original group faded to a great degree, but today there are a number of different social groups represented in Central Square: youth, unemployed, homeless, activists, veterans with disabilities, and some of the original group remains. Central Square has been adopted as the place to “hang out”.

As a result of the group(s) gathering in Central Square, calls for service to the location have increased dramatically. In 2010, from April 1 thru September 29, the police responded to Central Square in response to complaints 94 times. 1 arrest was made in that location during this time period and visits to Central Square were infrequent as part of the downtown patrol initiative simply because there was nothing there that required anything greater.

In 2011, during the same time frame as noted above, the police responded 228 times to complaints; 11 arrests were made and presence in Central Square by the police increased to 58 visits during this time frame as well. As the presence of the group(s) in Central Square became evident, the police recognized the potential for additional problems if left unattended and consequently increased patrols to monitor and maintain a presence there. This was done as consistently as possible, given call volume requiring police presence in other parts of the City.

This identified further problems and organized others within the city, such as Human Services, homeless coalitions, and Veteran’s aid groups that could help to resolve some of the issues those assembling in the Square were facing.

The challenge of the police relative to these issues is identifying behavior that is *illegal* versus that which is identified as inappropriate by the complainant; for example foul language is not necessarily illegal. The unwillingness of complainants to assist the police in identifying those engaged in poor behaviors for potential prosecution has also been a problem. Calling the police to respond to behavior that has since ceased upon their arrival is ineffective in dealing with the problems or the person(s) causing them for the long term.

Consistent presence and enforcement of laws by the police have had a great impact on the behaviors in Central Square. The willingness of the community and those witnessing behaviors to be part of the process has contributed to this success. There has been an increased presence in the community by those who wish to “take it back” from the poor behaviors that had been occurring there. This has resulted in some issues, but the problems subsided as quickly as they emerged.

The police department has increased patrols and presence to the area. Utilization of other tools such as bail conditions or letters of no trespass for those who commit crimes on the property are being used to restrict those who may be prone to causing trouble.

Increased presences by the community and social services, and better understanding of the issues affecting those who congregate there have made a dramatic impact.

On the surface, it would appear that the most effective means to combating or eliminating a number of these issues is an increased and consistent presence by the police in the downtown area. If this assumption is correct, this would require additional personnel and resources not currently budgeted. This possibility will need an in-depth analysis and cost projection.

## **Fire Department**

The Keene Fire Department responds to many Fire and EMS calls throughout the city. When we respond to calls we have protocols in place in order to provide safety in the community as well as for the Firefighters. We respond to many calls involving illegal and prescription drugs, alcohol or violent behavior. Over the past few months the Fire Department has seen an increase in these types of calls.

The Fire department has established protocols that involve weapons, fights, domestic violence, combative patients, suicide attempts and large crowds that provide safety to the firefighters. The protocols outline how to operate during a call that involves these behaviors by first staging responding units and personnel until a police officer clears the scene to ensure a safe environment. Once this has been completed the Police will notify the responding unit that it is clear to enter. This can delay treatment of a patient or investigations of fire alarms.

These types of calls are occurring more frequently and with more aggressive behavior towards our personnel. We have also noted that there are larger crowds of young adults walking in many neighborhoods and in the downtown area late at night and early morning. Our personnel recently responded to a call early in the morning hours and had young adults try to enter the rear of the ambulance by opening the doors. Our personnel was able to stop this from occurring but noted there was a large crowd of about 100 people that were standing behind the group that tried to enter. This has caused concern to the firefighters as there are only three or four of them on the call.

The safety of our personnel along with the security of our equipment while operating at an incident has become more of a concern. The shift Supervisor responds to many of these calls to assist with safety and the security of equipment while the firefighters tend to the incident.

The Fire Department monitors the times when this is occurring and finds that Thursday evening through Sunday morning seems to be the busiest for our personnel for these types of incidents. We also continue to monitor the types of calls and respond to numerous alcohol related incidents where the patient is underage or heavily intoxicated. Many of these calls are from the Keene State College campus where security has called to check the condition of the student.

In closing the Keene Fire Department continues to monitor the types of calls and safety issues and will revise the protocols as needed to ensure safety of our personnel.

## **Health and Code Enforcement**

Downtown Keene can be healthy only if the neighborhoods surrounding the downtown are healthy and vital. Change has come to downtown over the past ten years, and most of those changes have been positive, but many of the changes that have taken place in the neighborhoods surrounding downtown have created new challenges that could affect the health of downtown. The issues of behavior in Central Square have been occurring for years in Railroad Square, at the Skate Park, at Cumberland Farms and in the neighborhoods southeast, east and north of Central Square.

The types of issues that citizens in these neighborhoods or downtown refer to Code Enforcement have been nuisance- type complaints. These include housing and building conditions, noise, litter, parking, signage, overcrowding and graffiti. Many of these neighborhoods are in transition and have gained increasing numbers of absentee owners and increasing percentages of renters. Keene has long had a large number of renters, compared to owner- occupied housing. While there are Keene State students living in all areas of the city, most live near Blake Street, Adams Street and Grove Street. Even in these neighborhoods there are significant percentages of owner-occupied housing, as well renters that include working families. All strata of people can be found in these neighborhoods which has been the historic norm, but the trend in the past decade has been to have less diversity and less owner- occupied housing.

In response to these concerns, the Code Enforcement and Police Departments began to collaborate on issues, believing that the “broken windows” concept had a great deal of merit. This concept is that crimes and building decay can be reversed when less “serious” problems, such as litter, graffiti, broken windows etc., are dealt with continually. A report on the conditions in the community and a series of recommendations were in a report to the City Council in 2003 prepared by the Code Enforcement and Police Department staffs. This report had a number of recommendations, some of which have been adopted and some of which have not. City Council agreed to begin a proactive code enforcement effort in 2004 with the funding of a part-time Housing Officer, reaffirming this effort with the re-funding of a second officer in 2011.

City Ordinances have been revised to permit better enforcement of property standards, but recommendations such as a rental housing licensing requirement failed to be adopted. The proactive code enforcement effort has, due to the past staffing level, concentrated on parking and litter. This has resulted in noticeable improvement to the exterior condition of property and lessening of the parking and litter issues, but other issues remain. Graffiti on City property is cleaned up as soon as practicable, and any graffiti found on private property is documented and the owners, contacted. All advice provided on graffiti states that the best plan is to remove it as soon as possible,

remembering that graffiti, for the most part, is a form of territorial marking. Some property owners never have removed any graffiti, and it is their property that tends to memorialize the vandals. Those owners who remove it will tell you that they rarely have any further vandalism.

The report submitted in 2003 emphasized that, while there were some actions that the City government could take, it would take the cooperation of City departments and the citizens themselves to accomplish any change. The citizens themselves have resolved to solve these issues by the establishment of neighborhood associations; participation with City staff, Keene State College and interested parties to discuss direction; and communications resulting from the discussion of the proposed Disorderly House Ordinance and the adoption of the Comprehensive Master Plan. Guidance on the issues related to downtown, Central Square, and adjacent neighborhoods, as well as the adopted direction, can be found in this 2003 document. Code Enforcement, Keene State College and the Police are working closely together on enforcement issues, with the first level of interaction with problem properties being joint communication and closing of ranks. The level of communication and enthusiasm within City departments, Keene State College and cooperating property owners has been unprecedented.

## Department of Public Works, Highway Division

The Department of Public Works, Highway Division, is charged with the maintenance of the Downtown. This area of maintenance includes the Head of the Square to the Main – Marlboro – Winchester Street Roundabout and approximately one hundred feet down the side streets that intersect with Main Street, Railroad Square, the Bandstand and the Wells Street and City Hall Parking Structures. The scope of the work includes, but is not limited to: policing for litter and debris, graffiti removal, maintenance of the lawn Irrigation system, lawn mowing, trimming trees, grass and shrubs, installation and maintenance of benches, rubbish removal, drain cleaning, pressure washing stairwells, installation of sod as well as perennial and annual planting beds. The Downtown maintenance area encompasses approximately 50,000 ft<sup>2</sup> of paved parking, 47,000 ft<sup>2</sup> of sidewalks and 96,000 ft<sup>2</sup> of lawn area. Under normal conditions the maintenance tasks require approximately 64.5 hours per week (this varies somewhat as seasonal issues dictate). The Downtown Maintenance person is assigned the lead role in patrolling the service area and provides 37.5 hours per week with the remainder of the work augmented by other Highway Division staff.

The maintenance area within Downtown is routinely vandalized including: graffiti, removal or damage to signs, broken handicap railings, broken balusters (on the Bandstand), as well litter mostly consisting of cigarette butts and empty alcoholic and non-alcoholic beverage containers. In addition, mostly in Central Square and in areas near drinking establishments, cleanup of urine, vomit and feces is not uncommon. The Highway Division assesses the damages each weekday and needed repairs are recorded in the work order system to place the needed items in the repair queue.

A small percentage of the people congregating at these various locations within the past year have caused increased maintenance and repairs for the Division (beyond normal wear and tear). With the recent activities in the Downtown, the Highway Division has noticed an increase in cost for maintenance. Comparing a three month period (June, July and August), 2010 vs. 2011 illustrates the financial impact of the recent uptick in maintenance and repair:

- Graffiti Removal - **2010** \$300, **2011** \$1,308
- Pressure washing Wells Street Parking Facility - **2010** \$384, **2011** \$960
- Policing Common and Bandstand - **2010** \$900, **2011** \$1,920
- Electricity – **2010** electricity for a permitted event would be turned on and off during regular work hours \$0, **2011** with the recent activity of the electricity being abused, electricity is now turned on before then after the events which typically occur on evenings or weekends. This requires a “three hour call in” per the A.F.S.C.M.E Union contract. If the event is longer than three hours, it requires

another “three hour call in.” The cost associated with this is \$96 or \$192 per permitted event.

- The Bandstand requires painting every few years, and a recent assessment noted that it currently requires pressure washing and paint, replacement of 8 balusters that were vandalized, and repair to the handicap railing which was also vandalized. The total labor and material required to bring the Bandstand up to standards is \$2,464.

The Division has responded to disorderly behavior in the past. Several years ago the Division relocated some park benches on Main Street because of excess loitering. The benches in question were located on the sidewalk, and the associated litter, vomit, cigarettes, language, and citizenry associated with this location prompted a request for bench relocation. The circumstances surrounding the bench relocation were extreme, as it is not by any means common practice to relocate the benches on Main Street. The Wells Street parking structure is an ongoing maintenance concern for the Division. This structure enables people to congregate during inclement weather and is an ideal location for public urination and littering (despite four waste receptacles) due to its proximity to local drinking establishments. Additionally, the structure is frequently tagged with graffiti and the tagged surface is extremely difficult to clean.

Even under normal conditions the Highway Division is challenged to maintain the Downtown to the standards that highlight the beauty and unique nature of the heart of the City. Because tasks such as mowing, planted area maintenance, and irrigation require significant time resources, tasks such as litter patrol and patrolling the parking structures are not allocated the time needed beyond adequate maintenance. An idea going forward might be to bring in a private contractor to perform required mowing, irrigation, maintenance, and daily litter patrol. The Downtown Maintenance person could oversee the work performed by the private contractor in addition to upgrading the other tasks under their purview, and allow the Highway Division crews that currently assist in Downtown maintenance to perform necessary work in other parts of the City.

The Division has various plans to address each of the issues that affect the Division’s maintenance and upkeep of the Bandstand, Common, Parking Structures and other landscaped areas. The strategies at the end of this report are in place and being executed, are scheduled to occur, or are proposed to address specific concerns.



## **Parks & Recreation**

The current role of the Parks & Recreation Department is to process all reservation requests (see Appendix) for the Bandstand at Central Square and the brick pavers in Railroad Square. These public areas are intended for public use. Accordingly, no person or group shall claim any kind of exclusive right to use or occupy these public areas. Reservations are accepted on a date availability basis and once processed are distributed to Police and Public Works. The current activity in the Bandstand has not deterred the public from making reservations to use the public space. In July, when the group of teens first started to congregate at the Bandstand and in the Common, they were approached and asked to leave for the programming of the Wednesday night concert series provided by the Recreation Department. The group accommodated and left during the scheduled events, and to this date the department has not received any negative comments from those who have rented the Bandstand regarding the group being unwilling to move during a reserved activity. The department has received comments regarding the condition of the Bandstand and surrounding area as a result of the group's usage. As of October 4, 2011, the Recreation Center has approved 29 applications for the use of the Bandstand. These reservations range from bands to wedding pictures, public vigils, political rallies, and community events. Individuals or groups who are looking to reserve either the Central Square Bandstand or Railroad Square can find the application online or at the Recreation Center on 312 Washington Street. Groups who use the Common to rally or protest are not required to fill out the application if they do not reserve the Bandstand, but often times they make us aware as a courtesy. When contacted, the Recreation Department will inform them of the City ordinance and sign policy that is stated on the back of the reservation form.

These groups and the summer concert series provide value to the vitality of the downtown community. The public attending these events and programs often sit and eat a meal at the nearby restaurants, take a walk around the Main Street loop, or shop at a local store. The summer concert series provides residents with a reason to frequent the downtown area and be a part of the community and provides a positive economic impact for those downtown merchants.

In 2009, the electricity fee increased from \$10 to \$50 because groups were utilizing the Central Square Bandstand and not paying for the electricity. The fee increase was justified with the service provided by Public Works to make sure the electricity was turned on for the specific event. The Parks and Recreation office communicates these reservations to the Public Works and Police departments when events are scheduled in Central Square and Railroad Square.

Even though the Central Square and Railroad Square are listed as parks, the maintenance of the grounds is conducted by the Public Works department as part of their downtown beatification.

The Central Square Common is an award winning landmark. In 2009 it received the American Planning Associations "Great Places in America" award. It was noted in its characteristics for the award as enjoyable, safe and desirable. Although these things remain true, the current group of users has created an image that does not reflect these characteristics for the downtown area. It was just a year ago that a young man completed his Eagle Scout project by restoring the Bandstand for the community to enjoy. It's discouraging to see the hard work that was put into that project go downhill within a year of completion.

The vandalism that has occurred to the Bandstand by this group includes breaking of wooden dowels framing the Bandstand, graffiti, and shoe marks from sitting on the railings. Although these are minor problems, they did not exist prior to July 2011.

Currently in the Bandstand the overhead lights are automatic and provide an elegant illuminating environment. Perhaps additional lights can be placed on the Bandstand and other areas of the Common to make dark areas more visible. A recognizable problem is the amount of litter thrown behind the shrubs surrounding the Bandstand. It is discouraging to contemplate the shrubs' removal to expose the beer cans and soda bottles; an esthetic value would be lost because individuals cannot take the time to throw away their own trash.

In closing, although these changes will be a temporary solution to help curb an immediate problem, a continued dialogue will enhance the Central Square Common for its continued role in civic affairs for centuries to come.

To download the Application to use Central Square Common or Railroad Square follow this link:

<http://www.ci.keene.nh.us/departments/parks-recreation/miscellaneous-info/rental-forms>

## **Keene Public Library**

The library is a public venue with approximately 4000 people visiting per week. In order for all to be able to use the library effectively and without interference from others, the library has set rules. Because of the number and diversity of library visitors, there are times when conflicts arise both inside and outside the library. The library staff uses these rules to address the issues.

There are posted “rules of conduct” which are enforced within the building, and outside on library grounds. It is more difficult to enforce rules outside as we must rely on reports from other people coming to the library that an activity outside the building is a disruption and is blocking their access. People outside may be there for a variety of reasons: waiting to get picked up; coming to see a program; or to just generally see what is happening, visit with their friends who are coming to a program, or in the case of young people, staying until their parents or friends are able to pick them up. It is a fluid situation where people come and go.

Whether outside on library grounds or inside, we do have the right to ask a person to leave based on behavior. If the person refuses, the Police can be called for enforcement. The most typical complaint that results in notification to the Police is one person’s accusation of mistreatment from another person or that a personal possession has been taken. These are the posted rules:

### **Eight Simple Rules For Using The Keene Public Library**

*“RESPECT YOURSELF, RESPECT OTHERS, AND RESPECT PROPERTY.”*

1. Share the inside space.
2. Share the outside space.
3. Be careful with language. Swearing and cursing are not allowed by people of any age.
4. Keep food and beverages (*other than water*) outside of the building or in meeting rooms during library programs.
5. Keep the furniture and equipment in good shape.
6. Watch your belongings. Make sure that they are not in the way. Valuable items should remain in your possession at all times. The library is not responsible for lost or misplaced items.
7. Threatening or dangerous behavior of any kind is not allowed.
8. Remember that the library can ask people to leave for disruptive behavior. Young people should have a backup plan with parents in case they are asked to leave.

*Please help us enforce the rules. If you see something that is inappropriate, let a staff member know and he or she will respond.*



## Summary and Recap

The intent of this report is to show that the issues that have recently surfaced regarding Central Square are not something new to Downtown Keene. In fact they are not new to the state or to other parts of our nation.

Communities can be divided over what constitutes acceptable conduct in public places. Some misconduct, even if accepted by the community, might not be tolerable from a legal standpoint. Conversely, some conduct may bother some residents, but may be perfectly legal and perhaps constitutionally protected. Our community must balance the right to congregate in public against others' right to be free from annoyance, harassment, intimidation, or abuse and destruction of property.

Young people often congregate in public; this may be seen as both inevitable and socially necessary. Congregating can be a part of the rite of passage from childhood to adulthood, allowing youth to socialize and bond with their peers. Younger people may not fully appreciate their conduct's effect on others. What they consider normal and legitimate behavior can sometimes make others apprehensive or afraid. Sometimes the mere presence of a large group or their physical appearance is intimidating, regardless of their conduct.

With the uncertainty of our national economy and the current related unrest we can start to see the many aspects of the issues before us. Keene is a unique community where our residents have a lot of civic pride and are very protective of the beauty which our public places have to offer. The downtown core is seen as the "Heart of the community" – a vibrant place with many conveniences and attractions.

To paraphrase the Community Master Plan: "at the heart of this community is the community's collective ability to address tough questions that are often without simple answers". As a community we must step up again and find solutions to the many issues we are facing today. It will not be easy and it will not be a "one size fits all" solution. The primary goal of this report is to provide the background and facts to begin a community wide conversation, citizen participation, and a local decision making process around quality of life issues in the downtown core and our surrounding neighborhoods.

The decisions we make today will shape our future and they will affect everyone's well-being and peace of mind.

**The following is a listing of the current procedures, plans, and activities City Staff are using to mitigate the impact of negative activities in the downtown area:**

- **Daily inspecting for litter and debris** at the Common, Bandstand and parking facilities performed by the Department of Public Works Highway Division Downtown Maintenance person. This is generally done in the morning. It must be recognized that littering is not a static activity. In any given location litter collection occurs once per day. In the succeeding twenty four hours litter accumulation can be significant. One of the measures the Highway Division has undertaken is to locate Big Belly solar trash compactors to contain litter placed in collection bins and reduce the frequency needed for changing out the bags. As the refuse is compacted, these installations allowed the Highway Division to remove ten refuse containers. This has been particularly effective during weekends when trash containers were often overflowing. The downtown area now has five of these solar trash compactors and they feature an adjacent recycling container as well. Despite the Big Belly and 19 other refuse containers, there is a significant amount of litter discarded, most notably cigarette butts, in an improper manner by citizenry. The litter situation is particularly acute on Monday due to no presence of Highway Division staff patrolling the downtown area on Saturdays and Sundays.
- **Graffiti removal** as needed at parking facilities and Bandstand. The Division has tried numerous chemicals to address graffiti removal; none have worked to our liking. The Highway Division has received numerous recommendations for graffiti removal products from other Public Works operations. Based on the recommendations, the Division will try Enviro-Klean Saf Strip graffiti remover without methylene chloride or methanol.
- **Electricity** - Power is turned on and off after a permitted use of the Bandstand. The lock and hasp on the electrical box that operates the Bandstand was broken off. This has been replaced with an extremely heavy hasp and lock. All pedestal boxes on Central Square have been turned off. Electricity for the Bandstand has been secured. Rental for use of the Bandstand comes through the Parks and Recreation Department to the Highway Division. Our current plan is to turn on the power 15 minutes prior to the rental agreement and shut off immediately after the event has ended.
- **Signage** – all access points into the downtown have signage stating no bicycles or skateboards allowed on sidewalks. Additionally, three (3) no bicycle or skateboard stencils have been applied to the three (3) access points into the Central Square.
- **Visibility** – In September, existing trees in Central Square had their branches elevated to allow better visibility into the common and Bandstand. Additional tree

trimming will occur this spring to remove damaged limbs and open up branching by street lamps.

- **Lighting** – some lighting has increased due to the elevating and pruning of existing trees. Also under investigation is the installation of L.E.D lights similar to the rest of Main Street.
- **Water** has been turned off to the fountain; debris was being placed into the flow pipe. If this pipe is clogged, water cannot circulate to the pump and repairs range between \$300 - \$400. The current water shut-off corresponds with the normal seasonal shutdown of the water system on the common.
- **Bike Rack** has been ordered for placement in the close vicinity of Central Square to help discourage bikes in Central Square and eliminate bikes left in pedestrian ways. Several bike racks have been located in the downtown area to reduce sidewalk obstruction. Currently there are eight bike racks located throughout Main Street.
- **Evergreen shrubs** around the gazebo are a hiding place for bottles and conceal public urination. The Division would propose to remove these evergreens and install various perennials in this location.
- **The cigarette disposal** that was anchored to the concrete near the gazebo has been broken off and has been placed physically on the gazebo. The Highway Division is looking into fabricating a metal cigarette disposal unit with a more robust anchoring system to prevent damage to the cigarette disposal unit. Several cigarette disposal units are located in the downtown area, with varying degrees of success of use due to the fact that hundreds of cigarette butts are discarded on the sidewalks and streets in the downtown area each day.
- **Wells Street Parking Facility** stairwells are pressure washed after being assessed for smells and vomit. Litter patrol occurs daily on weekdays at the City Hall Parking Deck and Wells Street.
- **Railroad Square** issues include assorted litter, cigarettes butts and occasional loosening of the granite tops on planter areas. Litter collection in Railroad Square occurs every weekday. The granite tops are repaired by re-drilling the granite and adhering them to the supporting surface.
- **Increased police presence** through downtown foot patrols: increased and consistent presence in areas of concern, such as Central Square Common, Skate Park, and Basketball Court, through regular site checks on top of foot patrols. Attention to illegal activities and arrests as a result
- **Education** through discussion on behavior that is lawful vs. illegal to those reporting behavior as well as those participating in it.
- Consideration of **protected first amendment rights** and freedom to assemble in public places

- **Criminal Trespass notices** and bail conditions that remove those engaging in illegal behavior from being in the Central Square.
- There are now two **part-time housing officers**. This permits staffing thru-out the week and follow-up on cases which was difficult with one person.
- **Neighborhood web page** has been developed which is a portal to the public with information and contacts on community issues.
- There is **constant communication** with Code Enforcement, the Police Department, and Keene State College on all issues related to neighborhoods and housing.
- Code Enforcement and Keene State College frequently **educate** property owners as well as tenants of rights, issues and expectations. There are more clear paths for enforcement actions when basic communication proves ineffective.
- Efforts are under way to create an “**Adopt a Neighborhood “program** with the help of different student organizations to clean up transient trash in the neighborhoods.
- Housing inspectors are attending meetings with the three different neighborhood groups (including a newly formed Central West Group) to stay better informed of their concerns as well as to keep the neighborhood groups informed.
- Housing inspectors are monitoring the growing number of vacant houses and when needed tracking down the mortgage company to ensure that the houses are being kept secured and maintained.
- A committee is working on the establishment of a **voluntary rental property inspection program**.

**Considerations that may require community input and may include items with a budgetary impact, or broader policy implications:**

- **Enforcement of posted rules of conduct.** Due to the specific nature of Central Square and the right to free speech, rules in regard to language are not enforceable, but there might be an opportunity to post some guidelines asking that all respect the space and each other thereby protecting everyone’s rights.
- Discussion related to the overall **capacity limit and hours of use on Central Square** – possibly limiting the number of people on the Square at any given time or clearly stating that people cannot be overflowing into the street due to safety issues. Identify areas where young adults can congregate, gathering places where their behavior will not offend.
- Establish a **community liaison/outreach worker** similar to the Code Enforcement or Keene State Liaison positions to work with problem areas or groups throughout the downtown.
- Further **engage local social service agencies** to assist with community concerns and identify any unmet needs that are contributing to the issue.



- **Property standards** as a concept is more than those contained in the property standards chapter. For example many of the subjects contained in the Zoning Ordinance are property standards subjects. The elements contained in the Property Standards Ordinance should be examined for their relevance and efficacy. When the Zoning Ordinance is revised all zoning property standards subjects must be reviewed for their relevance and efficacy. These ordinances should be as simple to understand and comply with as possible, be developed to preserve and enhance, but also should not create nebulous or obtrusive regularity burdens.
- One objective of the Comprehensive Master Plan is to complete **Neighborhood Plans**. Neighborhood Plans should be delineated and achieved for the Downtown as well as critical neighborhoods adjacent to the Downtown. One such Neighborhood Plan has been identified and has been on more time at the Planning, Licensing and Development Committee. As originally conceived, this plan would look at the Marlboro Street corridor and the boundaries of the plan were to be Baker Street to Water Street, the roundabout to Eastern Avenue. Completion of this plan can be used a model of how to achieve these plans.
- One area discussed in the 2003 report was the importance of the **maintenance of city facilities, streets, sidewalks etc.** Complete Streets as a tool and the proven effect of street reconstruction can be used to transform neighborhoods. The City has had great success with this in the Elm Street reconstruction where after the street was rebuilt true neighborhood reconstruction with property improvements occurred.
- The issue of **licensing properties or inspecting properties internally** should be revisited. The intent of the licensing proposal was to create a method to review the interior conditions of property every three years. Rarely does Code Enforcement have an opportunity to see what the interior conditions of property are. There is an effort underway to create a voluntary program on inspection, but this is aimed at rentals concentrated towards Keene State students.
- **Graffiti** as a subject does not appear in City Code. There should be a review of methods used in other communities that have been successful dealing with graffiti. These could include removal options as well as regulations affecting properties with graffiti as well as perpetrators.
- **Litter and smoking** could be addressed. A suggested policy for Central Square similar to the one for our parks along more strict enforcement of underage tobacco laws in the downtown area and on Central Square could help with littering. A more active partnership with the Monadnock Tobacco-Free Communities Coalition in their activities and efforts could help to reduce tobacco use.

- Additional **tree trimming** occurring in the spring to remove damaged limbs and open up branching by street lamps.
- **Increase lighting** for the Central Square Common and Bandstand. Investigate L.E.D lighting for existing lamp posts
- **Wood balusters on the Bandstand** will be replaced; the Division is researching replacing the existing wood balusters with metal or some other stronger material that could be fabricated and be in compliance with the historic district requirements for the Bandstand.
- **Expand the permitting process** for the Common and not just the Bandstand. This would correspond with Railroad Square.
- **Establish a sign** in Central Square and Railroad Square outlining the procedure on the permitting process.
- **Establish a recycling program at all parks** within the downtown corridor along with additional trash receptacle or recycling center in the Central Square Common.
- The **installation of surveillance cameras** in Central Square and Main Street area for security and public safety.
- Create a **citizen community watch group** within the Parks and Recreation Department to assist with trash pickup, monitoring of activity and reporting of illegal or destructive activity.
- A study of **increased and consistent presence by the police in the downtown area** which may include storefront police operations. This could require additional personnel and resources not currently budgeted. Delineating the downtown area as its own patrol zone to be staffed on a regularly scheduled basis could provide coverage necessary to more effectively police the issues.

# Appendix

**STANDARD APPLICATION**

A-1

Applicant (must be 18) \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_ Organization \_\_\_\_\_

Organization Address \_\_\_\_\_ Type of Activity Planned \_\_\_\_\_

Date of Activity \_\_\_\_\_ Time of Activity (start) \_\_\_\_\_ (end) \_\_\_\_\_

Estimated Attendance \_\_\_\_\_

Do you request police for traffic and crowd control? Yes \_\_\_\_\_ No \_\_\_\_\_

Please Check Location and Facility Needed:

Central Square Common: Bandstand \_\_\_\_\_ (No Fee) Electricity \_\_\_\_\_ (\$50.00)

Railroad Square: Electricity \_\_\_\_\_ (\$50.00 and 24 hour notice to DPW required)

All parties using the City of Keene Recreation Department facilities pursuant to this rental agreement shall possess any and all licenses, rights, or other permission required by law to prevent infringement and/or the unauthorized use of any trademarks, copyrights, and/or other intellectual property rights. Moreover, in consideration for granting permission to use the Recreation Department facilities, the user and his/her/its respective successors and assignees covenants and agrees to indemnify and hold harmless the City of Keene, its officers, agents, and employees, from and against any and all claims, damages, costs, losses, expenses, and fees, including but not limited to reasonable attorneys' fees, it may suffer as a result of any and all claims, demands, costs, liability, or judgments against it for alleged infringement and/or unauthorized use of any trademarks, copyrights, and/or other intellectual property rights arising from or related to the user's use of the facilities.

By signature hereupon you agree to accept responsibility for the activity described above and attest you have read and understand the rules and regulations on page two of this application.

\_\_\_\_\_  
Signature of Applicant

See page 2 for rules for use of Central Square Common and Railroad Square per City Code.

**No Vehicles shall be driven on Central Square Common or Railroad Square**

Application Received \_\_\_\_\_ Permission Issued \_\_\_\_\_  
Date & Time By Date & Time By

Permission Denied: \_\_\_\_\_  
Date & Time By

**Retain Original and Return Copy to Applicant**

## **ARTICLE XXI. USE OF CENTRAL SQUARE COMMON AND RAILROAD SQUARE**

### **DIVISION 1. GENERALLY**

Secs. 46-1141--46-1160. Reserved.

### **DIVISION 2. PERMIT**

#### **Sec. 46-1161. Scope.**

Central Square Common and Railroad Square are public areas that are intended for public use. Accordingly, no person or group shall claim any kind of exclusive right to use or occupy either of these public areas.

(Code 1970, § 1808.0)

#### **Sec. 46-1162. Required; application; rules; standard fees for use.**

(a) Exclusive use of any of the public facilities (e.g., bandstand, electricity) located on Central Square Common or Railroad Square may be granted for a time period of definite duration.

(b) Application for such a permit shall be made at the parks, recreation and facilities department during normal business hours, Monday through Friday.

(c) The parks, recreation and facilities director may develop rules for the use of such public facilities on the Central Square Common and Railroad Square.

(d) The director will establish standard fees for the use of these facilities which must be paid in advance.

(Code 1970, § 1808.0)

#### **Sec. 46-1163. Limitations on issuance.**

The issuance of a permit by the parks, recreation and facilities director for the use of any of the public facilities located on the Central Square Common or Railroad Square shall in no way be construed as a license for any person or group to:

- (1) Claim exclusive use of the remainder of either public area;
- (2) Expect extra or special police protection or traffic control;
- (3) Alter any public facility;
- (4) Use any sign other than a handheld sign as defined in chapter 74 containing the sign code;
- (5) Block pedestrian or vehicle traffic;
- (6) Become disorderly; or
- (7) In any other way violate the law.

(Code 1970, § 1808.0)

#### **Sec. 46-1164. Payment of costs.**

Any person or organized group which sponsors a gathering of people in the Central Square Common or at Railroad Square which results in significant cleanup costs or damage to public property or extra police protection or traffic control shall be billed the total of such costs, and such group shall be responsible for paying such costs to the city. Accordingly, any person or group contemplating such a gathering at Railroad Square or the Central Square Common is encouraged to contact the parks, recreation and facilities department well in advance of any such gathering so that the person or group can have an idea in advance of the potential costs that may be involved and so that the parks, recreation and facilities department can begin to alert other city departments to be prepared for the gathering to the extent necessary.

(Code 1970, § 1808.0)

#### **Sec. 102-1291. Permitted signs.**

A sign must be specifically authorized by this article to be permitted.

(Ord. No. O-2003-15-A, 10-2-2003)

#### **Sec. 102-1292. Prohibited signs.**

The following signs shall be prohibited:

- (8) *Erection or attachment of signs on the Central Square Common and Railroad Square.* The erection, construction, relocation, and maintenance of signs on the Central Square Common and Railroad Square shall be prohibited. Nothing herein shall be construed to prohibit the temporary use of handheld signs for purposes of conveying a constitutionally protected message.

#### **. 102-1282. Definitions.**

The following definitions shall govern this article:

*Handheld sign:* A sign held by a person or persons that is not attached to, hung from, or resting upon any structure, tree or other public property and is not affixed to the ground or snow on public property.

2C

Date 09/09/11

To: The Mayor and City Council of Keene NH

RE: Violent and malicious behavior in the downtown

It has become apparent that there are issues with malicious behavior in the Keene downtown. At the MSFI meeting of 09/07/11, issues with the Wells Street parking deck were discussed and we believe this is just one example of increasing and ongoing detrimental behaviors throughout the downtown. We are submitting this letter to request that a more comprehensive discussion begin on the MSFI committee to find solutions for both short and long range issues. We would also like to request that a committee be officially formed, as this has been done in the past and has met with great success. Below we list some specific ideas for consideration, with the belief that this can be a starting point for resolving these problems.

Committee

- City Manager – Oversight and direction
- Police Chief – Enforcement and strategic planning
- Public Works Director – Maintenance issues
- City Attorney – Potential ordinances and legal guidance
- City Council Designee – Liaison
- Community Members

As discussed at the MSFI committees there were many issues and recommendations, listed below are some examples, but all new information, insights and helpful ideas are welcome.

Issues:

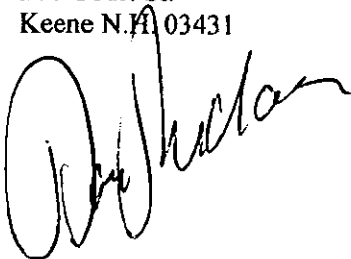
- Violence
- Drugs
- General malicious behavior

Solutions

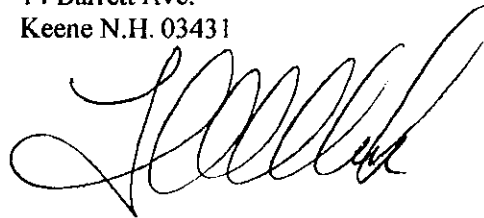
- Expanding foot patrols
- Downtown maintenance
- Targeting problem areas
- Downtown police sub-station

Thank you for your consideration.

David C. Richards  
Ward 3 City Councilor  
201 Court St.  
Keene N.H. 03431



Terry M. Clark  
Ward 3 City Councilor  
14 Barrett Ave.  
Keene N.H. 03431



September 13, 2011

20

The Honorable Mayor & City Council  
3 Washington St.,  
Keene, N.H. 03431

Re: Disorderly Conduct on Central Square

Dear Mayor Pregent,

As a result of a recent ride along with Keene Police, I learned of the extent of disorderly conduct by mostly youth hanging out on Central Square and Railroad Square. I first became aware of such activity by listening to store and restaurant owners with establishments bordering these squares.

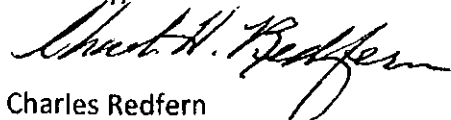
As a result of this awareness, I began to seek solutions to the problems, especially as they occur during late evening, early morning hours. One suggested approach by a couple members of the police force and Fred Parcells, former City Councilor, was to consider Central Square as a city park, such as Wheelock Park and Robin Hood Park. These other city parks have dusk to dawn closing hours. For Central Square, I propose a 9:00 PM closing hour.

For Railroad Square, the problems occur immediately following the closing of area bars. It's my understanding that state law requires the closing of bars at 1:00 AM. Applying a closing of 1:30 AM for Railroad Square would assist the police in dealing with early morning loud/unruly individuals and groups.

To address pedestrian traffic only wishing to pass though these parks, an exemption could apply for those individuals moving along the sidewalks.

Although these ideas are limited in scope, it does give law enforcement an additional tool to deal with some of the problems experienced in the Downtown area.

Sincerely,



Charles Redfern  
9 Colby Street,  
Keene, N.H. 03431

36 Windsor Ct  
Keene NH 03431

24

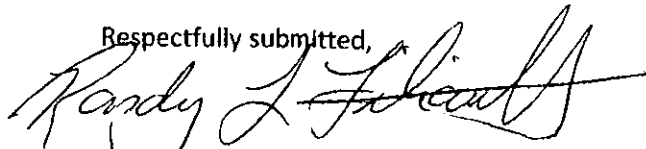
To: Honorable Mayor and City Councilors

From: Randy L. Filiault

Subject: Transportation Center

Currently the city owned transportation center has a vacancy available for lease. I would suggest the city use this space for a police department substation. Although it would not have to be manned full time, it would allow officers in the downtown area to do reports, have a "stop-off" point, and , most importantly, create a much needed added presence in the downtown area. I realize an argument against my proposal is the loss of potential rental fees. However I feel the added visibility of police downtown, far outweighs the minimal loss of income. After speaking with many residents and downtown business owners, I am sure you will find overwhelming community support for this proposal. Thank you for your consideration. I look forward to addressing the council on this issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy L. Filiault", written in a cursive style.

Randy L. Filiault



## Teen's Death Leads to Memorials, Frustration

*Keene Sentinel July 25, 2011*



Steve Hooper

### Central Square gathering

A group of people gather in the gazebo at Central Square Monday afternoon remembering a friend who was a stabbing victim. The victim's first name was scrolled on the pavement.

A large group of people filled Central Square in Keene today, after learning of the stabbing death of 17-year-old Craig Metevier of Marlborough Sunday night. Police were called to the square for a report of people fighting there and the crowd was dispersed, but came back together a short time later.

**Friends Mourn Stabbing Victim**  
**Metivier's Death Triggers Real and Virtual Displays of Grief**  
*Keene Sentinel July 27, 2011*

Wax from spent candles and a written sentiment now adorn the site of the fatal stabbing on Dunbar Street in Keene. Marlborough resident Craig Metivier, 17, was fatally stabbed there Sunday night. Another teen, 19-year-old Ethan Wilson, is charged with second-degree murder in the death. He is being held without bail until a probable cause hearing next week in 8th Circuit District Court, Keene Division.

Friends mourn stabbing victim By Sarah Trefethen Sentinel Staff SentinelSource.com | 14 comments

The stabbing death of a Keene High School student has triggered a time of public mourning by the victim's friends in Keene, raising some eyebrows among downtown residents and property owners.

Craig Metivier, 17, who was stabbed and killed on Dunbar Street downtown Sunday night, was a beloved member of his extensive circle of friends, according to the steady stream of people visiting the site of his death and sitting vigil on Central Square on Tuesday.

"A lot of kids are taking this really hard," said Monadnock Regional High School student Ashley Champney, 17, during a brief visit to Dunbar Street with a group of friends.

Ethan A. Wilson, 19, a friend of Metivier's, faces a charge of second-degree murder in connection with his death.

On Central Square, the words "R.I.P. Craig" were spray-painted on the concrete path in front of the bandstand and people have gathered there day and night since Metivier's death.

Police have responded to complaints about spray painting and loud music, but there have been no arrests at either location since Sunday's murder, according to Keene police Sgt. Christopher L. Simonds.

"Anybody has the right to mourn, and there's a million ways that people mourn, and Central Square is a public place," Simonds said. "Now, where there's a crime, like (violating) noise ordinances, disorderly conduct like spray painting — that's when the police get involved."

On Dunbar Street, about 15 feet of curb in front of the HKS Associates building was covered in melted wax and candle remains Tuesday, with a green wreath and small orange teddy bear resting in the middle of the stretch.

The entrance to the real estate office is off the parking lot away from the street, but the side door and windows of the office are only a few feet from the site of Metivier's death. The building's owner has contacted police to complain of the memorial activity, according to Keene police logs.

Representatives of HKS Associates declined comment.

Again, police distinguish between public and private space, Simonds said. The sidewalk belongs to the city and mourners have a right to gather there, while the owners of the private property have a right to remove trespassers and unwanted memorials, he said.

Almost every surface of the plywood ramps at the Keene Skate Park on Gilbo Avenue bears scrawled, spray-painted messages of "R.I.P. Craig" or "R.I.P. Waddles," Metivier's nickname.

The mourning goes on in the virtual world, too. Almost 800 people have joined a Facebook community dedicated to Metivier, where they post photos and memories of the slain teen.

According to Facebook posts, a petition is circulating to ask the city for permission to create a permanent piece of graffiti art at the skate park in Metivier's memory. Organizers aim to collect 500 signatures before presenting their request.

## **Volunteers Clean Up Their Act**

*Keene Sentinel August 25, 2011*

An assortment of young people took to Keene's Central Square with brooms, rakes and a bucket of soapy water Wednesday afternoon in an effort to help clean up their image.

Daisy Royea, 26, who is homeless, was the ringleader of the crew of more than a dozen people ranging in age from 14 to 37.

"We want people to know we're not hooligans and we're not hoodlums," she explained.

"It's Operation Clean Up the Square," offered Sean Shelly, also 26 and homeless, as he wielded a broom across the concrete path around the bubbling fountain.

Kimberly Bain and Shauna Myers, both 17, of Keene joined Michael Pourassa, 37, homeless, in scrubbing graffiti and accumulated dirt from the bandstand.

"These are good kids," Pourassa said. "I wanted to help them out."

Other members of the group picked up litter and raked over the mulch in the plant beds.

The seed of the cleanup idea was planted during an after-hours conversation with a police officer stationed downtown, according to Royea.

The officer had pointed to the litter-strewn ground as an example of the ways in which the young people's behavior was intimidating and upsetting other residents, she said.

"They want this place to be clean for the families," said Robert Davis, 21, of Keene.

For much of the summer the square has served as a social hub for local youth, some of whom spend entire days there — eating, playing Hacky Sack and taking shelter in the bandstand during rain.

Keene police Sgt. Christopher L. Simonds said the police had not officially initiated the effort, but he approved of the idea that the people responsible for the mess would clean it up.

A number of the volunteer cleaners pointed out that the trash can in the square was full, and suggested that it could be emptied more frequently.

One trash bag held approximately a gallon of cigarette butts, which Bain said they planned to present to City Manager John A. MacLean as evidence that the square would benefit from an ashtray.

Royea said she and her friends were not solely to blame for the accumulated mess.

“Half of the city of Keene walks through here every day and flicks their cigarette butts,” she said.

MacLean said late Wednesday afternoon that he had just learned of the cleanup effort from other city officials, who had witnessed the activity firsthand.

“I haven’t looked out the building or walked across the street yet, but it sounds wonderful,” he said.

He added that he had heard the young people wanted to talk to him and that he welcomed the conversation.

The cleaning was intended to send a message, but Royea said she found it had other rewards.

“People are driving by and saying it looks great,” she said. “It’s a good feeling.”

## **Crowds Causing Unease**

### **Residents Ask For Response to Loitering Issue**

*Keene Sentinel September 8, 2011*

More and more people are loitering in public places downtown, some Keene residents say, and that has them concerned.

Residents from apartments overlooking and near the Wells Street parking deck attended the meeting of the City Council's municipal services, facilities and infrastructure committee Wednesday to ask that the city do more to limit skateboarding, fighting, urinating and drunken socializing in and near the two-story parking facility. The deck is a block off Main Street, near Railroad Square and downtown businesses, apartments and two hotels.

But Peter Crowell and Gwen Ames, Church Street residents whose letter to the council launched the discussion, added that they feel the real issue is bigger than Wells Street.

"We have two lovely (gathering) areas in Keene ... Railroad Square and Central Square, and I won't go into either of them," Ames said during a break in the meeting.

Slovenly loiterers detract from the character of the downtown, she said.

"What's so cute, what's so quaint when you've got this crowd of foul-mouthed, rude people?" she asked.

The offenders at the parking deck fall into two broad groups, according to Ames and Crowell: older people patronizing Keene's bars, and people too young for the bars who spend time downtown.

Crowell suggested the community ask about root causes of disruptive behavior.

"Where do you think these kids come from? Where are their parents? Why are they allowed to spend all day in Central Square?" he asked. "There are kids in Central Square who look to me to not even be teenagers, and they're associating with people in their 20s."

He drew a connection to the fatal stabbing in July of Craig Metivier of Marlborough, a Keene High School student.

"We had a 17-year-old murdered downtown and all we've talked about is how sad everyone is," Crowell said. "Where's the community rising up to say 'how can this happen?'"

After an impromptu brainstorming session and airing of grievances among the residents, councilors and city staff, the municipal services committee asked the city manager and police chief to report back in 30 days on ways the city can address the

range of topics raised — from maintenance at the parking deck to the concerns of business owners and residents who report they are intimidated to walk through Central Square at night.

Committee Chairwoman Pamela Russell Slack compared these concerns with complaints the city received several years ago about college students.

The committee worked to changed that dynamic, she said, and the conversation at Wednesday's meeting suggested a new but similar project.

Slack encouraged Crowell, Ames and the other residents who attended the meeting to form a neighborhood group similar to those that were developed in neighborhoods with large student populations.

City Manager John A. MacLean told the committee and assembled residents that he had already scheduled a meeting with people who contacted him to complain about loitering and disruptive behavior in Central Square, and invited everyone to attend.

The meeting will be Monday at 5 p.m. in City Hall.

## **Noise Dispute Ends In Arrests**

*Keene Sentinel September 11, 2011*

Four Keene residents were arrested after an altercation with police officers over a noise violation in Central Square Friday night, according to Keene police Sgt. Thaddeus Derendal.

Fifteen to 20 people were gathered at the gazebo in Central Square around 10:30 p.m. and were playing loud music through stereo equipment and using strobe lights, Derendal said.

The group was violating city noise ordinances and using city electricity without a permit, he added.

Officers attempted to issue a summons to Nicholas Caswell, 18, on charges of theft of utility services and violating the noise ordinance, Derendal said.

Caswell refused to identify himself to police, so the officers took him into custody, Derendal said.

Caswell was later released on \$1,000 personal recognizance when he gave police his identification.

Officers confiscated the stereo equipment as both evidence and abandoned property because no one claimed to own it, Derendal said.

As officers arrested Caswell and confiscated the equipment, three members of the group interfered with police by attempting to stop the officers from taking the equipment and trying to take it back, Derendal said.

The three also refused to identify themselves to arresting officers until late Friday night and early Saturday morning, hours after the incident occurred, according to Derendal.

Ryan E. Maddox of Keene was charged with obstructing government administration, hindering apprehension or prosecution, and resisting arrest or detention.

Derrick J. Horton of Keene, was charged with obstructing government administration, resisting arrest or detention, and refusing to be processed.

Rosalynn Alejandro of Keene was charged with obstructing government administration and hindering apprehension or prosecution.

Police said the group's ages and addresses were unavailable because they were still processing the arrest paperwork.



All three were later released on \$1,500 personal recognizance. They, along with Caswell, are set to appear at the 8th Circuit District Court, Keene Division Oct. 4.

**More Arrests in Keene's Central Square**  
**Amid Complaints, Police Step Up Patrols in Area**  
*Keene Sentinel Monday, September 12, 2011*

A Keene man was charged with disorderly conduct after allegedly starting a fight in Central Square Saturday evening, and two men face charges of having open alcohol containers in the square Sunday, according to Keene police.

The incidents come after a large police response to the square Friday, to shut down an illegal party complete with stereo and strobe lights.

On Saturday, Gus Gutierrez, 22, was being recorded on video by another man in the square and didn't want to be, according to Keene Police Lt. Shane C. Maxfield.

Gutierrez began yelling at the man recording him, and continued even after police several times tried to defuse the situation, Maxfield said.

Officers arrested him for disorderly conduct, he said.

Gutierrez was released on a summons and is scheduled to appear in court on Oct. 4.

On Sunday, a bike officer patrolling downtown spotted two men drinking from beer cans in the square, said Keene police Lt. Eliezer Rivera.

The men were issued summonses charging them with possessing open containers of alcohol, Rivera said.

Rivera said police have been doing stepped-up patrols at Central Square in recent days, in light of a number of complaints about loud noise, smoking, drinking and fighting there.

## **Citizens Voice Concerns About Behavior Downtown**

*Keene Sentinel September 12, 2011*

More than 60 people gathered in Keene City Hall Monday evening for an informal discussion about bad behavior in public spaces downtown.

Business owners reported vulgar language disturbing their customers, and some residents said they no longer feel comfortable in Central Square.

Over the course of the summer the small park has become a popular gather place for young people and homeless residents, some of whom were also present at Monday's gathering, which was not an official city meeting.

The event was initially conceived as an opportunity for people who had contacted the city with concerns to talk in person with officials, John MacLean, the city manager, told the crowd.

"What we've actually learned since then is this is a very important conversation that people are already having," he said.

No minutes were taken and the discussion was not part of the official city record, and MacLean encouraged those in attendance to either write a letter to the city or attend next month's meeting of the City Council's municipal services committee on Oct. 26 to make official comments.

## **Rowdy Behavior in Central Square a Hot Topic**

*Keene Sentinel September 13, 2011*

What was to be a small gathering to discuss loitering on Keene's Central Square ended up drawing quite a crowd Monday evening at City Hall.

By mid afternoon Monday, nearly 30 people could be seen in Keene's Central Square.

They sat in small groups in the bandstand, on the park benches and on the ledge around the water fountain.

A Hacky Sack game was in progress, and several of the males removed their shirts in the afternoon heat.

"I got out of school, came down here, did my homework and then hung out with people," said Shauna L. Myers, a purple-haired, 17-year-old Keene High School student.

Rene J. Wells, 22, had been there longer. Wells is homeless and lives in a campsite, he said, and he considers the square his "home away from home."

"You get sick of being alone at camp, and this has people and scenery," he said.

Less than two hours later, Myers and Wells were among the more than 60 people who gathered in City Hall for what City Manager John A. MacLean said he had initially conceived of as a small, informal discussion with a few concerned residents.

Word spread quickly, however, and what occurred was more of an impromptu forum on just how public the small city park — surrounded by restaurants and high-end retail establishments as well as apartments and office buildings — should be.

Business owners are upset that vulgar language and intimidating behavior is driving customers away, and residents report they are uncomfortable walking through the square.

Laura Keith King, president of the Greater Keene Chamber of Commerce, said people sometimes scream obscenities loud enough to be heard inside her office, which overlooks the square.

Police Chief Kenneth J. Meola attributed the conflict and frustration in part to the success of the downtown, where inviting public spaces were designed to encourage people to "hang out."

"Now we're seeing lots of issues with the hanging out," he said, adding that not all members of the community of young people who spend time downtown and in the square are responsible for the behavior that is upsetting property owners.

But even if not everyone in the groups is swearing and threatening, their presence nonetheless contributes to the problem, according to some.

Addressing individuals who identified themselves as Central Square regulars, Keene resident Kay Georgina said: “The numbers have grown so large that you people — sorry for the phrase — are intimidating.”

Addressing the city manager, she added that “something has to be done about it, because they are doing things to our community that are unfriendly and unattractive.”

Georgina was far from alone.

Other residents and business owners told the city manager they have been verbally threatened, and one woman reported she had been “flashed” by another woman who exposed her breasts.

Dori O’Meara, who owns Pedraza’s Mexican Restaurant as well as rental apartments downtown, said her restaurant recently closed its bathrooms to the public because of the increased activity on the square.

Some people suggested that the entire community needs to collaborate to discourage the behaviors that are offending so many residents.

“We all need to work together; it is everyone’s park,” resident Peter Bradshaw said.

Keene police have formed good relationships with some of the young people who spend time on the square, Meola said, and he suggested they could help discourage the bad language and intimidating behavior, but they would need the support of the rest of the community.

In particular, he asked people reporting incidents to the police to identify the individuals responsible, either by describing them or pointing them out to an officer.

No minutes were taken at Monday’s meeting, and the discussion was not part of the official city record. MacLean encouraged those in attendance to write a letter to the city or attend next month’s meeting of the City Council’s municipal services committee on Oct. 26 to make official comments.

Colleen O’Brien, 17, was in the square Monday afternoon with her 8-month-old daughter Lillian, sitting on a blanket spread over the grass and covered with toys.

She is friends with most of the other people who were in the square, and she said she thought it was good that the square had become a popular place to spend time.

“Otherwise it was just a waste of tax dollars to put a fountain and a gazebo here,” she said.

## **In the Square**

*Keene Sentinel Editorial Wednesday, September 14, 2011*

The latest edition of the Old Farmer's Almanac, which was issued from Dublin this week, includes this forecast for November in the Northeast: "Temp 34 degrees ... 1-5 Rainy periods ... 6-8 Flurries, cold. 9-16 Snow north, showers south, then sunny, chilly. 17-23 Rainy periods ... 24-27 Snow, then sunny, cold. 28-30 Snow north, rain south ...."

This prediction for a month that begins six weeks from now may be of interest to those young people who have been hanging out in increasing numbers in Keene's Central Square, and also to those older residents and businesspeople who are upset at the gatherings and instances of crude behavior there.

On Monday City Manager John A. MacLean offered a listening ear to those who are bothered by foul language in and around the common and other behaviors not deemed proper for the city's graceful central focal point, such as men going shirtless and, in one case, the baring of female breasts.

The city code doesn't have an anti-loitering ordinance, though police could presumably rely on state law to break things up. RSA 644:6 (Loitering or Prowling) holds: "A person commits a violation if he knowingly appears at a place, or at a time, under circumstances that warrant alarm for the safety of persons or property in the vicinity."

But, with respect to those who say they feel intimidated, Central Square filled with two or three dozen young people does not have the feel of an urban street corner with sour sorts feeding each others' disaffections; what's going on here is kids hanging out in a happening place in the center of things — a setting far healthier than some other spots where they might choose to get together.

This isn't to endorse for Keene behaviors that are more commonly found on summertime oceanside boardwalks. It is to say that things could be worse than having young people gather in the heart of the city. Yes, some have bruised the sensibilities of bystanders, but Police Chief Kenneth Meola says the way to deal with that is to talk with the offenders; he asks for help in identifying kids with whom his trained officers can have conversations.

There are additional possibilities. For example, promoting activities at the recreation center or other parts of town that might have appeal. Or, in the short term, counting on the change of seasons. Chilly afternoons, cold rain and snow could clear Central Square quite effectively, without overwrought human intervention.

## **Police Visible in Square**

*Keene Sentinel September 15, 2011*

Officers were on hand Wednesday afternoon in Keene's Central Square after multiple residents contacted police with concerns about a gathering planned there at 4 p.m., according to Keene Police Department officials.

In recent weeks, police have stepped up regular patrols at the square due to complaints about people breaking laws there.

On Friday night, police broke up a loud party that included a boom box and strobe lights and a handful of drug- and alcohol-related arrests were made in the square over weekend.

A flier circulated in Keene Wednesday called for daily gatherings in the square with "no drinking, no drugs, no swearing, no thugs."

On Wednesday, a handful of officers went to the square for about an hour to ensure "everyone was following the law and any people that were violating the law were arrested," said Keene police Sgt. Jason Short.

One man from Keene was arrested and faces charges of possessing marijuana and violating probation, Short said.

## **Time, Respect Sometimes Win Out**

*Keene Sentinel September 18, 2011*

Sue Small of Keene said she chose to be in Central Square Friday because she refuses to be afraid to use the space.

Central Square has become a daily hangout location for several groups of teenagers and young adults.

In “American Graffiti,” Curt was cornered by the Pharaohs for allegedly scratching their car. Curt was clean-cut, heading to college the next day; the Pharaohs were three scary-looking greasers in black leather jackets, perpetual townies.

They forced a frightened Curt to cruise the streets with them in their 1951 Mercury Coup, even engage in some criminal mischief. And then a funny thing happened. As they interacted, they started to understand each other. They parted ways with Curt no longer intimidated and the tough-talking hoods defending Curt’s lifestyle.

They found respect.

Set in 1962, the movie “American Graffiti” is all about young adults hanging out, challenging authority, finding themselves, fitting in, testing each other. Some do so mischievously, some clumsily, some placidly — but just about all of them do so confusingly. Regardless of their public personas, inside they’re just trying to figure it out.

That was almost 50 years ago. Kids that listened to Wolfman Jack are grandparents today, some complaining about the younger generation. Thus, as the shenanigans on Central Square in Keene gain momentum and attention, how much has really changed?

Confusion seems to be a dominant theme.

The melting pot of relationships between Juggalos, Free Keeners, abutting businesses, pedestrians, residents who live on the Square, homeless, political activists and police are enough to make the average resident dizzy.

The dynamics are intriguing because so many different lifestyles are converging on a tiny plot of land in the center of the city. It’s ideal for attention-seekers, convenient for those who want to hang out and a headache for police to sort it all out. Less than a month ago family concerts were held weekly in the Square; young and old sang along and danced to The Nines, as family as you can get.

Now people say they are afraid to walk through the Square. That’s not right.

In the past few years members of the Free Keene group occasionally caused commotions on the Square, staging “4:20” rallies and such, daring police to take action against them. They’re still there.



This summer a group of young people self-described as Juggalos started assembling there shortly after the shocking stabbing death of 17-year-old Craig Metivier. It was where they congregated to grieve — and, to some extent, vent. The result today is probably an outgrowth of that.

There are also rumors that people fairly new to Keene, maybe a darker element, have been showing up. Is it a growing powder keg? Could senseless, serious violence be touched off by a who-knows-what trigger? Or will the cold winds of autumn eventually sweep the tension away?

No one probably knows, even the regulars on the Square themselves. Keene Police, City Manager John MacLean and City Councilors are trying to understand the fluctuations and craft a plan, if necessary, to diffuse potential for serious harm.

Keene Police were called to the Square several times last week to squelch conflicts. It's clear they are exercising patience as much as possible, even while being pressured by some sectors to use more force and make more arrests. One Sentinel reader suggests a firehose; others call for more drastic — and illegal — tactics. It's a sign of growing anger among the populace.

Being boorish may not be a crime, but it certainly shows a lack of respect. Blaring music, especially late at night, and open profanity is a lack of respect. If that's how people hanging out on the Square choose to treat others, they deserve our disdain and eagerness to change things.

It was surreal midday Thursday to see one lone officer standing sentry in the Square, rain pelting down, as about a half-dozen young people huddled on the bandstand. It's frustrating because it's a waste of resources, and the police know that.

Although he didn't want to go into strategic details, Police Chief Kenneth J. Meola said enforcement is a matter of balancing the constitutional rights of people to congregate on the Square vs. inappropriate behavior.

MacLean was on host Dan Mitchell's WKBK radio show this week, saying the city is seeking solutions. Some City Councilors have accompanied police officers on ride-alongs and patrols in the Square. More than 60 people turned out for an impromptu public forum Monday, and the city council's municipal services committee will take official comments on Oct. 26.

Many business owners have complained about swearing and large crowds intimidating passers-by. Other business owners say they know many of the regulars on the Square and defend them as not being bad kids. Just confused.

As Meola said at the forum, the gatherings are an offshoot of Keene's strong downtown. It's colorful, vibrant and diverse, an inviting locale to hang out. With diversity comes

diverse people. Individuals form groups, groups empower individuals and conflicts break out. Guaranteed, though, thousands of cities across the country would give anything to have a downtown like Keene's.

It's easy to get hooked into the fishbowl syndrome, where problems seem unique and magnified. You don't have to drive far to see true inner-city malaise — and danger.

One police officer last week said that the ultimate solution is for residents to take back the square, not by intimidation but through communication. A store owner on Main Street said the same thing. She knows many of them personally because they come into her store. Just talk to them, she said. Ask them how they're doing. She finds they have a much softer demeanor than their public swagger suggests.

Tolerance worked for Curt and the Pharaohs in "American Graffiti." And the Pharaohs were scary-looking dudes, on the outside. Some things don't change in 50 years.

## **Councilors Call For Panel**

*Keene Sentinel September 22, 2011*

Two city councilors want to form a committee to examine youth behavior issues in downtown Keene, and one local 20-year-old says he wants to get involved.

As the issue of how to handle the activity in Central Square and downtown Keene continues to generate debate, Councilors Terry M. Clark and David C. Richards took a crack at addressing the problem during Wednesday night's meeting of the City Council's municipal services, facilities and infrastructure committee.

Both councilors signed a letter urging the creation of a committee to examine the "increasing and ongoing detrimental behaviors throughout the downtown."

Residents have complained publicly about violence, profanity and intimidating behavior.

"I see (the proposed group) as a stepping stone to a more permanent and concerted effort" to deal with these issues, said Richards, who added he'd like to see an office for police at the transportation center to increase police presence downtown.

The committee would consist of City Manager John A. MacLean, Police Chief Kenneth Meola, Public Works Director Kurt D. Blomquist, City Attorney Thomas P. Mullins, a member of the City Council, and community members.

Clark said he'd like to see the city's parks, recreation and cemeteries department get involved, because "a lot these things happen on your property," as well as local social services organizations.

"There are a lot of groups downtown that may not be getting services," he said.

Community members could also give the committee added perspective that "staff may not see, and we want to give them ownership of the situation," Clark said.

Christopher Bluhm, 20, a resident of Keene for most of his life who spends a lot of time in Central Square, said he'd like to see some of his friends represented on the committee.

"I think you should have us in the conversation, two or three of us," he said.

Bluhm said while he understands the council's concern, and does witness illegal drug activity downtown, some of the recent incidents involved harassment of the youths by adults.

"There are a lot of people like me who just want peace," Bluhm said of the group that's been congregating in Central Square since the stabbing death of 17-year-old Craig

Metevier in July. “But we’ve witnessed a lot of people antagonizing us, sticking stuff in our faces, trying to get us out of there.”

Pamela Russell Slack, the committee’s chairwoman, said she’s been in Central Square almost every day for the past two weeks, meeting with youths and getting to know them.

“I spent almost my whole day there Friday,” she said. “I believe we need to work together to figure out how we might be able to assist them.”

Slack related a scene she witnessed in which someone fell off a truck as it was traveling around the square, and six kids hanging out there immediately rushed over to help.

“So there are some good things happening there,” she said.

Councilor Charles H. Redfern submitted his own letter to the committee, suggesting Central Square be treated like other city parks, which have a 9 p.m. closing hour.

“We have had a murder on Dunbar Street,” he said. “It’s more than just drug deals; we had a knifing.”

Slack said she didn’t believe closing the square at a certain hour would do much good.

“If you close (the square), they’re just going to go somewhere else,” she said.

Slack and Councilor Janis O. Manwaring said they wanted to wait for a staff report, due Oct. 26, intended to summarize the issues facing Keene and its younger population and possible solutions, sentiments echoed by Mayor Philip Dale Pregent.

“I can see waiting for the report to come out,” Redfern said. “But this shouldn’t simmer on the back burner.”

Slack pointed out that the group in Central Square involves more than just teenagers.

“There are people there with mental health issues who are not receiving services,” she said. “There are also some veterans in there that need help.

“It’s not that I don’t support what Councilor Richards and Councilor Clark are suggesting,” Slack said. “But I firmly believe we need to find out what we’re dealing with first.”

Committee members voted unanimously to delay taking action on the letters until they have the staff report.

About an hour and a half before the start of the meeting, at 5 p.m., police responded to Central Square for a report of a fight. Two people were recording each other with video

cameras and the interaction became physical, according to Keene police Lt. Eliezer Rivera.

Officers were unable to determine the aggressor in the incident, no one was injured and there were no arrests, he said.

## **Time For Action is Now**

*Keene Sentinel Letter to the Editor September 24, 2011*

An open letter to Mayor Dale Pregent and City Manager John MacLean:

For nearly 15 years our family has called Keene home.

Like many others, we moved here for a job, raised our children, established ourselves within the community and have grown to love the city. Keene residents have a sense of community that is second to none, which, when combined with civic pride, makes for an incredible environment in which to live.

Keene also has a diverse economic base that has kept the city vibrant even with the broader economic downturn.

Common sense zoning and infrastructure improvements have preserved the community feel to our downtown enabling local businesses to thrive. All of these factors combine and intertwine to form the foundation of a city that is attractive to businesses, jobs and families.

The successful evolution of downtown Keene into the vibrant commercial destination it has become is due to several different factors, all equal to each other, yet, paradoxically, sometimes in opposition to each other.

In general there is a positive business climate where entrepreneurs are free to succeed or fail on their own merit. However, those entrepreneurs accept government oversight on signage and building restrictions in the form of zoning laws and historic district ordinances.

There are a wide variety of merchants downtown creating a great diverse shopping experience. However, each merchant accepts restrictions such as not putting clothing racks on the sidewalk or not serving food and alcohol beyond a point on the sidewalk that has been defined by the city. Citizens are also subjected to paradoxes of freedoms and restrictions.

They are free to shop in any store they want along a public sidewalk, however, they implicitly agree not to ride a bike or skateboard on that sidewalk while doing their shopping so as not to injure a pedestrian.

In short, Keene's vibrant downtown is a textbook case for free market success in the context of a society with laws that protect rights while imposing reasonable restrictions on all for the good of the community.

Recently, groups of "disenfranchised youths" have been congregating at Central Square and exercising their freedom to, well, congregate.

While the intent of Central Square is in fact as a free and open place for all in the city, that intent surely does not include being a place to urinate, sleep, drink, abuse drugs or harass citizens and act with general threatening behavior.

So the city has to answer a fundamental question "Where do the rights of these youths interfere with the right of merchants, shoppers and citizens to have a business district unencumbered by threats, vulgar language and filth?"

Although these youths would like to think so, theirs is not the first generation to feel alienated, to speak out against authority or to feel that they have "no place to go."

And like previous generations, it is time for them to grow up, stop feeling a sense of entitlement from a community to which they do not contribute and to stop harassing shop owners and customers.

And it is time for the city to stop enabling them with feeble excuses about their rights. What about the rights of the businesses and consumers downtown?

These youths lost their freedom to congregate the minute their behavior drove the first customer away from downtown and it is time for the city to act.

As our city leaders, it is incumbent on you to act in the best interest of our citizens, business owners and consumers and stop this behavior. We all accept restrictions on our freedom when our rights infringe on someone else's rights. These youths should be no exception.

It is time for this group of individuals to get a civics lesson and for you as our city leaders to ensure the continued vitality of downtown Keene.

*JOHN L. TONKINSON  
18 Newbury Lane  
Keene*

## **Square Change**

*Keene Sentinel Editorial October 2, 2011*

Concerns about unruly behavior in Keene's Central Square and other parts of the downtown were recently brought to the steps of City Hall, where, to their credit, officials offered their listening ears.

The city manager hosted an informal meeting for people upset about rowdy gatherings of young people in public places. He subsequently asked department heads to look into the situation to help inform a report for the city council. Meanwhile, some councilors proposed creating an ad hoc committee to address behavior problems downtown.

While all this was going on various exchanges of insults occurred in and around the Square that involved not just some of those who periodically populate the place but also others who are offended by instances of rudeness there.

The upshot is that a problem has presented itself, and there are expectations that something will be done about it. Vigilantism, as proposed by some older residents, is clearly not appropriate, nor is the deployment of whole shifts of police officers to the heart of the downtown.

The institutional options at this point appear to be to appoint a committee that includes wide representation — councilors, police, parents, young people, social service workers, homeless people, downtown merchants and so on — or to take a more informal approach that involves different people at different times.

The impaneling of a committee would visibly demonstrate a city commitment to problem-solving. The alternative informal approach, while not as public, has the appeal of allowing greater flexibility; a model would be the informal assembly of landlords, neighborhood groups and city staff, among others, that emerged from city attempts to regulate disorderly off-campus student apartments and that ultimately led to voluntary solutions.

Whatever steps City Hall takes, the public should be under no illusion that change will come quickly. The young people hanging out downtown are not one of a kind. Some have mental health issues. Some are homeless. Some are jobless. Some are well-adjusted school kids. Some are mainly proponents of drug legalization, and others fit no single definition.

Appropriately, the authorities understand that constructive change, if there is to be any, won't happen on its own, nor will anything good come from crackdowns, curfews or similar police measures. The solutions — note the use of the plural — will come as a result of thoughtful action involving many participants in and out of City Hall, where officials say they are ready to act.



## **A Public Park is For the Public**

*Keene Sentinel Letter to the Editor October 7, 2011*

I read, with some surprise and disappointment, John Tonkinson's recent open letter to Mayor Dale Pregent and City Manager John MacLean.

In that letter, Mr. Tonkinson stated that "it is time for this city to stop enabling them with feeble excuses about their rights. What about the rights of the businesses and consumers downtown?"

Of course, Mr. Tonkinson is complaining about youths congregating in Central Square. His letter contains so many false assumptions and misconceptions that it is hard to know where to start.

First of all, there is one very basic principle involved that seems to be ignored by many concerned with people congregating on Central Square:

Central Square is a public park. It is open to the public. These youths are members of the public. They have a perfect right to be there, along with every other member of the public.

The parks are open to all, including young, old, middle aged, male, female, tattooed, pierced, clad as Mormon missionaries, people with criminal records, people with spotless criminal histories, and every other characteristic that one can think up.

I am appalled at Mr. Tonkinson's use of the phrase "feeble excuses about their rights."

Since when are our basic Constitutional rights "feeble"? I would remind Mr. Tonkinson that the Bill of Rights includes freedom of speech and freedom of assembly.

I am also disturbed by the use of the "them." Who are "they"?

On a regular basis, Central Square is used for political demonstrations. I have seen demonstrations for various political candidates, against our foreign wars, in support of our troops, anti-abortion, pro-choice, and against sexual and domestic violence. Why are these groups acceptable but "they" are not?

And who are "they"?

What possible way can "they" be distinguished from other members of the public? By age? By whether or not they have tattoos or piercings? By whether or not we like their music?

Mr. Tonkinson complains that illegal activity sometimes takes place. Drinking alcohol is illegal in public in Keene. Anyone can be arrested for violating that, even on the

sidewalk in front of his or her own residence. Criminal threatening can rise to the level of a crime. There is already a public urination statute.

Of course, the sale and consumption of controlled drugs is illegal in a public park or anywhere else. Those persons who violate any of our laws or ordinances could be and should be prosecuted, just as the police will arrest someone drinking at Robin Hood Park or smoking a joint at Wheelock Park.

But even if someone is arrested for such an act, that does not justify closing the public park to some indeterminable group. Collective punishment and guilt by association are certainly not values of our society.

The fact that some people may feel intimidated is an unfortunate consequence of living in a free society.

Let me pose a hypothetical: Suppose a group of six large tattooed leather clad pierced motorcycle types decides to sit in Central Square and have a chess tournament. These people might, by their very appearance, intimidate others. But on what basis would you have them removed?

*THEODORE H. PARENT*  
*242 Beaver St.*  
*Keene*

## **Growing Fast**

*Keene Sentinel October 16, 2011*

"We are here in unity with the world-wide occupation day and the 99 percent!"

Andrea Cadwell was shouting as she stood on a bench in Central Square Saturday afternoon.

The crowd of people cheered and waved cardboard signs emblazoned with slogans like "End corporate greed" and "Take money out of politics" and "We are the 99%."

On a picturesque New England fall day, the Occupy Together movement, which started in New York City in September and has swept across the nation, arrived in Keene Saturday.

Cadwell, the Occupy Keene organizer and an Antioch graduate student said the turnout yesterday was great.

"It's pretty big for the first day of an occupation," she said.

Cadwell said she helped organize the occupations in Boston and Washington, D.C. a few weeks ago.

"Now those occupations are big, but on the first day, we only had maybe 17 people out there," she said. "We've already exceeded that here." About 40 to 50 people could be counted at Central Square at 1 p.m., although some members involved in the protest said the count could be as high as 110.

Cadwell, who lives in Peterborough, decided that since others were organizing demonstrations in Concord and Manchester, she would start one in Keene.

"We want to call attention to this issue and hope that people will realize that it is a problem that affects all of us, that all of us here are part of the 99 percent that is suffering from the decisions of the one percent," she said.

Occupy Together is a movement protesting social and economic inequality, corporate greed, and the influence of corporate money on U.S. laws and policies.

The movement began Sept. 17 with Occupy Wall Street in New York, and has reached nearly 100 large cities and over 600 communities. On Saturday, for the first time, it went global on a large scale (see related story).

Area residents said they gathered to show their support for the Occupy movement and to raise awareness for it in New Hampshire.

"I've been following the story that started with Occupy Wall Street, and I decided I wanted to participate because the more people that participate, the more that people will become aware," said Rebecca Michaud, a Springfield Vt. resident.

Michaud had her two elementary school-aged children with her at the protest. All three of them held signs and wore home-made protest T-shirts.

"They've been following the situation with me, and we had a discussion about what it means for us and the country," she said. "They decided they wanted to participate with me."

Representative Charles F. Weed attended the protest to show solidarity with those who are having a difficult time in this economy, he said.

"They've socialized the cost and privatized the gain," Weed said. "The people are bearing the cost of the bailout."

Weed said he's not sure what the protests will accomplish in the long term, but "as long as there is a visible expression of anger and dissatisfaction, people will pay attention," and he hopes that will lead to reform.

City Councilman Terry Clark also attended the protest.

"It's about time to start regulating the banks and big business," he said. "The people have been stomped on and we can't really do anything about it. But, I'm going to do whatever I can to help make a change."

Skye Stephenson of Keene added that it is important for residents to see that "their representatives feel what is happening to the people."

The Keene Peace Vigil, the group that protests the wars in Afghanistan and Iraq every Saturday in Central Square, joined forces with Occupy Keene at Saturday's gathering.

"Most of us do believe that the war is connected to our economic problems and the failure of the economic system," said Jeffrey Scott, of Chesterfield, a long-time war protester and Iraq veteran.

"We're trying to raise awareness and to be part of the solution and reshape the country," Scott said. "We are demanding economic justice and equality, and we're going to do the best we can to get that going."

There was discussion of camping out in the square overnight, as other Occupy movements have done, but as of 9:30 p.m. Saturday night, there were four men camped out in a tent on Railroad Square.

## Finding Common Ground in Keene

*Keene Sentinel October 18, 2011*



*Mother and daughter Mandy Myers, left, and Shauna Myers, 17, of Keene team up to help clean up the Central Square Common Monday. The effort was coordinated by members of the United Church of Christ after hearing some of the kids that hang out there express the desire to clean up the space.*

Cooperation was the name of the game Monday, as members of the United Church of Christ in Keene helped clean up Keene's Central Square with some of the youths who've been spending time there.

On a crisp autumn afternoon, youths and adults combined to rake leaves, pick up litter, and paint the bandstand in Central Square.

Christopher J. Cornell, an associate pastor at the church, said the cleanup was organized at the suggestion of the young people.

"The idea, the energy, and most of the manpower came from the kids," he said. "Some of us (from the church) have been out there talking to them, and we asked them how we could help, and they said they'd like to organize a cleanup, and the church jumped on it."

Some parishioners of the church, located at the head of the square, have made an effort in recent weeks to talk with the youths, who've been congregating on the common daily since the stabbing death of 17-year-old Craig M. Metivier on Dunbar Street in July.

"We wanted to go out and meet these kids as members of our community, as our friends and neighbors," Cornell said, adding that church members have noticed increased antagonism between the youths and other residents.

Graham Colson, one of the youths who frequents the square, said he didn't hope to achieve anything beyond cleaning up.

"This is probably the third or fourth time we've done this on a large scale," he said of the cleanup. "But we're not even trying to accomplish anything ... people already have their set notions of who we are.

"I think people drive by and say, 'look, there's adults, they must've told them to clean up,' " Colson said.

Cameron L. Goller, a senior at Keene High School and member of the United Church of Christ's youth group, agreed with Colson that other residents are often too quick to judge those hanging out in the square.

"I definitely feel like a lot of the kids are being falsely accused of actions that occur down here," he said. "I feel like a good majority of them don't have anything to do with it, but they're being scapegoated."

Vicki L. Moore of Keene, a deacon at the church, said she doesn't want Keene to become a 'Stepford,' where everything is perfect all the time.

"You hear things," she said. "People say, 'those kids in Central Square ... ' but do you really know who they are? They're nice people."

Moore said the kids are using a public space, and she doesn't feel it's fair to tell them they can't "as long as they're treating it nicely."

Colson said he recently witnessed people taking pictures of the trash cans in the square, in an attempt to point to the overflowing cans as a sign the square can't handle the level of activity it's been receiving.

“But the point was, we’re using the trash cans,” he said. “If we weren’t, they’d be taking pictures of litter on the ground.”

Patricia S. Richter moved to Keene with her husband about a year ago, and regularly attends services at the United Church of Christ. She said the cleanup was an opportunity to connect with the youths.

“It sounded like a good effort to make contact with people who have a statement to make,” she said. “I really feel like it’s an excellent forum, but if changes are going to be made it’s going to start with understanding. You’ve got to listen.

“People shouldn’t feel threatened because they’re expressing themselves,” Richter said. “I do think people today tend to make assumptions, and I’ve seen a lot of that just in small interactions, and I think it’s very sad. We’ve come to such a narrow place that it’s frightening.”

Goller saw the cleanup as a chance to show people that positive things can come from partnerships, he said.

“I hope it’ll raise awareness of the possibilities that result from cooperation with the church and the kids,” he said. “Hopefully it’ll inspire others to do things in the community.”