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THAT WHATEVER MESS OR ANYTHING LEFT IS CLEANED UP AFTERWARDS. OBVIOUSLY THE BOSTON COMMON, OBVIOUSLY WE'LL HEAR MORE FROM COMMISSIONER COOK AND FROM OTHERS IS A JEWEL OF THE CITY AND NEEDS TO BE PROTECTED. I'M LOOKING FOR DEFINING A WAY TO MAKE SURE THAT A POPULAR EVENT IS ABLE TO CONTINUE IN SOME FORM BUT MAKING SURE WHETHER IT'S NOISE, WHETHER IT'S TRASH, WHETHER IT'S ILLEGAL ACTIVITIES ARE HAPPENING NOT AT PERMANENT EVENTS, SO I LOOK FORWARD TO HEARING FROM THE ADMINISTRATION OFFICIALS, POLICE DEPARTMENT, PARKS DEPARTMENT ON THEIR PLANS ON THIS.

BUT I'D LIKE TO HEAR FROM THE SECOND PANEL AND FROM FOLKS WHO WILL BE TESTIFYING LATER WHAT OTHER ALTERNATIVES THERE ARE LATER.

CITY HALL PLAZA, WE'VE HAD LOTS OF EVENTS IN THE PAST, OBVIOUSLY IT IS NOT A PARK IT CAN SUSTAIN A LOT MORE WEAR AND TEAR OUT THERE.

I'D LIKE TO HEAR IDEAS FOR HOW WE CAN MAKE THIS MOVE FORWARD, CONSTRUCTIVELY AS NEIGHBORS IN BOSTON, LOOK FORWARD TO BEING HERE, AND LOOK FORT TO THE TESTIMONY.

>> THANK YOU, COUNCILLOR ZAKIM. COUNSELOR FLYNN.

>> THANK YOU FOR YOUR LEADERSHIP AS WELL, OPENING A DIALOGUE IN PARTNERING WITH ME ON THIS IMPORTANT HEARING THAT WE'RE HAVING TODAY.

WE'RE HERE TODAY, BECAUSE ANY TIME OUR CONSTITUENTS MAKE A COMPLAINT TO OUR ATTENTION, WE TAKE IT VERY SERIOUSLY.

TO THE COMMUNITY IMPACTED. WE WORK TO DO OUR DUE DILIGENCE. PARTS OF BAY VILLAGE AS WELL,

WE'RE PLEASED TO HAVE THE STRONG LEADERSHIP IN THE BOSTON COMMON, FRIENDS OF THE PUBLIC GARDEN AND THEY HAVE EXPRESS CONCERNS, REGARDING THIS ISSUE AS WELL. RESIDENTS RELAY TO US REPORTS OF PARKED CARS ON GREEN SPACE, CAMPING IN THE PARK AND A SUBSTANTIAL AMOUNT OF TRASH LEFT IN THE PARK.

I THINK IT'S APPROPRIATE FOR US TO LOOK INTO WHAT'S TAKING PLACE IN THE PAST SEE IF WE CAN FIGURE IN THE QUALITIES OF LIFE ISSUES AND MAKE SURE THEY WORK FOR EVERYONE.

IN THE FINAL ANALYSIS THE BOSTON COMMON IS ONE OF THE OLDEST MOST BEAUTIFUL PUBLIC SPACE IN THE COUNTRY.

WE LOOK FORWARD TO SEEING SENIORS, DISABLED, RESIDENTS IN THE AREA, FAMILIES, TOURISTS, MAKING SURE THE PARKS REMAIN ACCESSIBLE.

IT MUST BE SAFE, ENVIRONMENTALLY HEALTHY.

THESE ARE MY STRONGEST CONCERNS FOR OUR COMMON.

WE MUST WORK STRONGLY WITH CITY HALL TO PROTECT THOSE QUALITIES.

I WANT TO SAY THANK YOU FOR THE BOSTON PLACE, YOUR GREAT WORK, AND THE PUBLIC GARDEN.

I DO NOT LOOK FOR US TO MAKE A HEAVY HAPPENED APPROACH AS IT RELATES TO THIS MATTER.

BUT I'M CONCERNED THAT THE SHAPE THAT THE BOSTON COMMON IS IN AFTER AN EVENT THIS RUNS SEVERAL DAYS.

I'M CURIOUS FOR THE COST BY THE CITY IN TERMS OF CLEANUP OF THE PARK.

POLICE CLAIMS, OTHER DETAILS ASSOCIATED WITH THE PARK.

IT IS MY HOPE THAT THIS CONVERSATION WILL HELP TO LEAD TO SOME KIND OF COMPROMISE THAT HELP US ALLEVIATE THE CONCERNS THAT NEIGHBORS, ADJACENTS OF THE PARK, HAVE REGISTERED, I WORK LIKE EVERYBODY DOES EVERY SINGLE DAY, I SEE A LOT OF CHILDREN

USING THE PLAYGROUND, TOURISTS ENJOYING THE PARK, I SEE CHINATOWN, I HAVE A GREAT RELATIONSHIP WITH THOSE WHO USE THE PARK, THEY'VE EXPRESSED CONCERNS TO ME ABOUT THIS.

BUT MY POINT IS, WE NEED TO COME UP WITH A COMPROMISE AND WHAT'S HAPPENED IN THE PAST CAN'T CONTINUE ANYMORE.

THOSE DAYS ARE OVER.

THANK YOU, MR. CHAIRMAN.

>> THANK YOU, COUNSELOR FLYNN.

WE'VE ALSO BEEN JOINED BY MY DISTRICT 5 COLLEAGUE, CITY COUNCILOR TIM McCARTHY. COUNCILOR WU.

>> THANK YOU, MR. SPEAKER, MAKING SURE WE HAVE A SANE AND PRODUCTIVE CONVERSATION ON THIS.

I WANT TO APOLOGIZE IN ADVANCE THAT I HAVE TO RUN OUT FOR ANOTHER COMMITMENT, BUT HOPE TO BE BACK, IN ANY CASE WILL BE WATCHING.

FOR ME THIS IS AN ISSUE LIKE SO MANY OTHERS THAT WE THINK ABOUT ACROSS THE CITY OF BALANCING ALL THE DIFFERENT COMMUNITIES THAT WE WANT TO MAKE SURE FEEL WELCOME AND ARE INCLUDED IN OUR CITY.

I THINK IN THIS CASE, WE ARE PARTICULARLY THINKING FROM A COUPLE OF DIFFERENT ANGLES OF AN EVENT THAT IS NOW KNOWN -- PUTS BOSTON ON THE MAP NOT JUST LOCALLY BUT NATIONALLY.

WE ARE LOOKING AT A PARK THAT SIMILARLY HAS BEEN A SIGNATURE AND JEWEL OF OUR CITY FOR HUNDREDS OF YEARS AT THIS POINT, AND ALL THE INVESTMENTS THAT GO INTO MAINTAINING IT.

AND WE'RE ALSO LOOK AT THE ENJOYMENT OF THE DOWNTOWN AREA MORE BROADLY, TO ANYONE WHO'S VISITING BOSTON EVEN IF YOU'RE LIVING THERE OR JUST PASSING THROUGH ON ANY GIVEN DAY.

SO I WOULD ECHO COUNCILLOR ZAKIM'S QUESTION ABOUT WHY WE COULD -- WHETHER WE COULD CONSIDER ALTERNATIVES LIKE CITY

HALL PLAZA THAT COULD
ACCOMMODATE A LARGE SCALE EVENT
THIS COULD ACCOMMODATE THE
COMMUNITIES THAT WANT TO TAKE
PART, BUT ALSO, WOULD BE
LESSENING THE IMPACT ON THE
BEAUTIFUL PARKS THAT WE ARE
ALREADY PUTTING IN A LOT OF
MONEY TO COMPLAINT AND IRRIGATE
AND KEEP UP DAY AFTER DAY.
THANK YOU VERY MUCH.

>> THANK YOU, COUNCILOR WU.
COUNCILLOR McCARTHY.

>> I HAVE A SPECIAL LOVE FOR
PARKS AND GREAT RESPECT FOR MY
FOAM COLLEAGUES THAT REPRESENT
THERE AREA AND JOSH ZAKIM AND
COUNSELOR FLYNN.

I'M HERE TO MAKE SURE I GIVE MY
SUPPORT TO THEM.

I HAVE GOTTEN A LOT OF E-MAILS
AND CALLS AND NOT EVEN CLOSE TO
BEING IN MY DISTRICT.

AS EVERYBODY KNOWS I REPRESENT
MATTAPAN, HYDE PARK AND
ROLDUGIN.

ROSLINDALE.

USED TO BE A ONE DAY POLITICAL
RALLY NOW INTO A THREE DAY FIX.

I DON'T THINK A LOT OF THOSE
PEOPLE ARE FROM BOSTON TO BEGIN
WITH, MAYBE A HANDFUL.

MAYBE IT'S TIME FOR US TO TAKE
CARE OF OUR IMMEDIATE NEIGHBORS.

I'M HERE TO SUPPORT MY FELLOW
COUNCILORS, LISTEN IF.

>> THANK YOU COUNCILLOR
McCARTHY.

THIS IS BEING STREAMED AT THE
WEBSITE, BOSTON.GOV.

PLEASE SILENCE YOUR ELECTRONIC
DEVICES.

IF YOU WANT A CONVERSATION
PLEASE STEP OUTSIDE TO HAVE
THEM.

APPLAUSE CAN OFTEN EAT INTO THE
TIME HERE, PLEASE REFRAIN FROM
APPLAUSE GOING FORWARD.

YOU CAN ALWAYS USE JAZZ HAND OR
SPLAYED FINGERS IF YOU WANT TO
SHOW YOUR AGREEMENT.

ONCE AGAIN PLEASE SIGN IN THE
SHEET IF YOU ARE LOOKING TO
TESTIFY AFTER.

WE WILL STAY HOWEVER LONG IT
TAKES BUT EVERYONE HAS AN
OPPORTUNITY TO SPEAK.
CHIEF COOK DO YOU HAVE OPENING
STATEMENTS?

>> YES I DO COUNCILORS THANK YOU
VERY MUCH FOR HOLDING THIS
HEARING REGARDING THE BOSTON
RALLY.

IN PARTNERSHIP WITH THE LAW
DEPARTMENT HAS LEGALLY
CHALLENGED THIS EVENT AND WE'VE
BEEN TO COURT MORE THAN SIX
TIMES.

IT IS NOT AN EVENT WE SUPPORT OR
ENDORSE, IT'S IN DIRECT
CONTRADICTION TO THE CITY'S
ORDINANCE THAT PROHIBITS SMOKING
IN BOSTON PARKS.

DESPITE OUR CONCERNS OVER
ILLICIT DRUG USE, DAMAGE TO PARK
PROPERTY AND AMPLIFIED MUSIC.
WE MUST RESPECT THE COURT'S
DECISION FOR THE PARTICIPANTS.
HOWEVER, EVEN WITHIN THESE
DECADES OF CONTEXT THIS PAST
YEAR'S ADDITION OF THE FREEDOM
RALLY WAS SINGULAR IN ITS
DISRESPECT OF AMERICA'S FIRST
PARK.

AS MAYOR MARTIN J. WALSH NOTED
THE NEXT DAY AND I QUOTAS A CITY
WE STAY TREMENDOUS PRIDE IN OUR
PUBLIC SPACES AND THE CONDITIONS
THAT WE SAW IN THE AFTERMATH OF
THIS WEEKEND'S BOSTON FREEDOM
RALLY ARE BOTH APPALLING AND
UNACCEPTABLE, END QUOTE.
ANNUALLY, THIS EVENT USUALLY
TAKES DAYS FOR COMMON TO
RECOVER.

THAT IS DAYS OF DOWNTOWN
RESIDENTS AND TOURISTS WALKING
PAST TRASH AND DRUG
PARAPHERNALIA.

THIS YEAR WE WERE ALSO LEFT WITH
DAMAGED TURF AND IRRIGATION FROM
VEHICLES, TREE DAMAGE, COOKING
OIL STAINED WALKWAYS AND DEAD
GRASS, AND DUMPSTERS WORTH OF
WASTE STREWN ACROSS THIS
LANDMARK.

THIS EVENT CREATES AN INEQUITY,
PULLING STAFF OUT OF OUR

NEIGHBORHOODS.

KIDS IN HYDE PARK, ROXBURY AND BOSTON COMMON IS NO STRANGER TO LARGE EVENTS.

IN 1965 DR. MARTIN LUTHER KING, JR. SPOKE IN THE PARK TO PROTEST INEQUITIES.

IN JANUARY 2017 MORE THAN A THOUSAND PARTICIPANTS GATHERED IN AND AROUND THE PARK TO PEACEFULLY PROTEST FOR BOSTON WOMEN'S MARCH.

THAT DAY WE EXTENT MAINTENANCE DIVISION EARLY BECAUSE THE PARK WAS SPOTLESS AFTER THE EVENT.

THESE ARE FREE SPEECH EVENTS.

THIS EVENT THE REASON WE'RE HERE TODAY IS COMMERCIAL ACTIVITY.

IT IS INCONSISTENT WITH THE CULTURAL AND FAMILY-FRIENDLY EVENTS THAT THE BOSTON PARKS DEPARTMENT PRESENTS AND SUPPORTS IN OUR PARKS.

WE WILL CONTINUE TO WORK WITH THE CITY OF BOSTON LAW DEPARTMENT TO DISCUSS OUR OPTION HE MOVING FORWARD.

-- OPTIONS MOVING FORWARD.

YOUR SUPPORT IS INVALUABLE TO THIS PROCESS.

WE ARE GRATEFUL TO OUR COLLEAGUES AT THE FRIENDS OF THE PUBLIC GARDENS AND OUR DOWNTOWN ASSOCIATIONS WHO HAVE HELPED DEVELOPMENT THIS YEAR'S EVENT. THIS ARE DOCUMENTATION HAS RESULTED IN THE FESTIVAL ORGANIZER REGARDING PERMIT VIOLATIONS.

I'M MORE THAN HAPPY TO GO THROUGH THE CONTENTS OF THAT LETTER IF IT PLEASES THE COUNCIL AND AT THIS POINT I'M PREPARED TO ANSWER ANY QUESTIONS THE COUNCIL MIGHT HAVE.

>> THANK YOU, CHIEF, REMEMBER SPARED FINGERS, CAPTAIN DO YOU HAVE ANY TESTIMONY AS WELLOR ARE YOU READY TO GET ON TO QUESTIONS?

>> NOT AT THIS POINT.

>> COUNCILLOR ZAKIM BEGIN WITH THE QUESTIONS.

>> THANK YOU MR. CHAIR,

COMMISSIONER.

JUST A COUPLE OF QUESTIONS.

ONE THING THAT REALLY STRIKES ME THAT IS NEW THIS YEAR ASIDE FROM I THINK THE DOCUMENTED OOSHES IN THE AFTERMATH OF THIS, TRASH, DAMAGE TO THE COMMON, THIS BODY RECENTLY APPROVED AROUND \$30 MILLION FOR CAPITAL INVESTMENT IN THE BOSTON COMMON IN THE PUBLIC GARDEN THAT CAME ABOUT THROUGH A LONG PROCESS, I WENT TO THE SQUARE WORKING WITH THE FRIENDS NEIGHBORS TO INVEST IN THIS TO MAKE SURE WE'RE PROTECTING THE COMMON.

SO I HAVE A CONCERN IN GENERAL WITH LARGE SCALE REPEATED EVENTS PARTICULARLY ONES THAT ARE COMMERCIAL IN NATURE. ABOUT DOING THAT.

AND HAS THERE BEEN ANY DISCUSSION WITH THE LAW DEPARTMENT, NOT PRACTICINGS ANYMORE BUT I AM A LAWYER. AND YOU KNOW A STANDARD POLICY AROUND THIS THAT DON'T INFRINGE UPON PEOPLE'S FIRST AMENDMENT RIGHTS.

AND SECONDLY AS FAR AS A STRATEGY APPROACH WHAT BOTH THE RANGERS AND MAYBE SOMEBODY FROM BPD APPROACHES AS WELL ON VIOLATIONS, WHETHER WE ARE TALKING ABOUT BEER AND WINE ON THE COMMON, SMOKING MARIJUANA TON COMMON, ANYTHING ELSE.

I DO WANT TO COMMEND CAPTAIN FONG ISN'T HERE BUT THEY HAVE DONE A PHENOMENAL JOB LAST FEW YEARS OF ADDRESSING OTHER SUBSTANCE ISSUES AND CRIMINAL ACTIVITY ON THE COMMON JUST IN THE FEW YEARS I'VE BEEN ON THIS BODY.

THIS CAN BE ADDRESSED AND I'M WONDERING HAD A THE APPROACH IS ON THIS EVENT OR OTHER EVENTS, OTHER LARGE SCALE EVENTS.

>> IT IS AN EXCELLENT QUESTION. I BELIEVE THERE IS A RESET POSSIBLE, IN FACT AT THIS MOMENT WE'RE ACTUALLY NEGOTIATING AN MOA REQUEST FRIENDS OF THE

PUBLIC GARDEN CURRENTLY THAT WOULD HELP GUIDE THOSE INVESTMENTS AND GUIDE OUR RELATIONSHIP STARS WHO MANAGES WHAT AS FAR AS THE IRRIGATION SYSTEMS, DAILY MAINTENANCE SYSTEMS ON THE COMMON, THEY ARE PARTNERS ON THE PARK, ANNUALLY WE SPEND MORE THAN \$2 MILLION ON THE GUARDS, THE BOSTON GARDEN AND COMMONWEALTH MALL.

AS PART OF THOSE ACTIVITIES, WHERE CREATED IN THE 1990s IN THAT MANAGEMENT PLAN IT SET THINGS LIKE DECIBEL LEVELS, IT SET WHAT WAS APPROPRIATE FOR TYPES OF EVENTS AND THE DURATION OF THOSE EVENTS THAT WOULD BE ON THE BOSTON COMMON.

SO I THINK AS WE APPROACH THIS CAPITAL INVESTMENT OF THE PARK IT IS ALSO AN OPPORTUNE TIME TO LOOK AT OUR OPERATIONS AS A PARK AND UPDATE THOSE RULES AND PROCEDURES.

>> ALSO I'M A LITTLE DISAPPOINTED THAT THE LAW DEPARTMENT ISN'T HERE.

I KNOW THEY HAVE DONE A LOT OF WORK ON THIS BUT SOME OF THESE QUESTIONS AND MAYBE THIS IS CAUSE FOR ANOTHER HEARING OR WORKING SESSION OF SOME KIND IS WHAT WE CAN DO IN A UNIFORM FASHION ON OUR PARKS AND GREEN SPACES.

I'LL SAY I LIVE ALONG THE COM MAV MALL TO SMOKE ACY GAR BECAUSE THAT'S ILLEGAL IN THE CITY OF BOSTON.

I DON'T SMOKE IN MY OWN HOME, MY WIFE WOULD HAVE CONCERNS ABOUT THAT.

I'M SAYING THAT AND MAKING LIGHT OF IT A LITTLE BIT BECAUSE WHILE THE SMOKING ISSUE, IT'S NOT A PUBLIC SAFETY ISSUE, I DON'T THINK IT'S DANGEROUS TO HAPPEN. BUT WE HAVE THIS BODY HAS PASSED A LAW, UNIFORM APPLICABILITY ACROSS THE CITY OF BOSTON, ALL OUR PARKS AND AGREE SPACES TO ENSURE THAT THEY ARE ENJOYABLE AND OPEN TO EVERYONE.

NOT JUST CHILDREN, ADULTS,
WHOMEVER, PEOPLE WHO DON'T WANT
TO SMELL WHATEVER KIND OF SMOKE
IS OUT THERE.

SO THE QUESTION IS FOR YOU MAYBE
FOR THE RANGES, CAPTAIN,
LIEUTENANT, WHAT THE BPPED BPD
APPROACH IS, FOR PARKS AND WHAT
WE CAN BE DOING AROUND THESE
LARGE SCALE EVENTS THE ENFORCE
THAT RULE.

>> GENERALLY I THINK THE MOST
IMPORTANT THING IS THE EDUCATION
PIECE, SIGNAGE IS A KEY PART.
RECENTLY IN BOSTON COMMON WE
HAVE DEPLOYED A FRAME SANDWICH
BOARDS TO REMIND PEOPLE THERE'S
NO SMOKE.

THE BOSTON PARK RANGERS HAVE
ISSUED CITATIONS IN THE PAST.
I'D BE LYING IF I SAID THAT THAT THAT
WAS EFFECTIVE.

THE MOST EFFECTIVE STRATEGY AS
FAR AS LETTING PEOPLE KNOW ABOUT
THE RULE?

BRIEFLY IN GENERAL TO YOUR
EARLIER POINT ABOUT SPECIAL
EVENTS AND WHAT'S PROIBTED IN
BOSTON PARKS, EARLY NEXT YEAR
WE'RE HOPING TO PROPOSE TO THE
CITY COUNCIL SPECIAL EVENTS,
SPECIAL EVENTS GUIDELINES THAT
WOULD PERHAPS RESULTS IN A FEE
SCHEDULE OR SOME SORT OF
ORDINANCE THAT GUIDES MAJOR
SPECIAL EVENTS IN CITY PARKS.
SO THAT WE DON'T HAVE THIS AD
HOC APPROACH TO DIFFERENT
EVENTS.

>> FROM A B PD PERSPECTIVES, ON
THIS EVENT IN PARTICULAR MORE
BROADLY?

>> WE ALSO ENFORCE THAT
ORDINANCE.
THROUGHOUT YEAR.

BUT SINCE OVER THE LAST FEW
YEARS WE'VE SCALED DOWN THE
NUMBER OF OFFICERS THAT WE HAVE
ASSIGNED TO THIS EVENT.

B PD IT WAS \$52,000 AND 2018
ABOUT \$87,000.

WHAT THAT MEANS IS WE HAVE FEWER
OFFICERS PATROLLING THAT EVENT,
WE TEND TO STAY ON THE PERIPHERY

OF THIS EVENT BECAUSE OUR MAIN CONCERN IS PUBLIC SAFETY. WE DON'T FEEL IT'S, AT THAT PARTICULAR EVENT, THAT IT'S APPROPRIATE TO START ENFORCING THE CITY ORDINANCES BECAUSE IN FEWER INSIGHTING THE CROWD AT THAT POINT.

SO WE KIND OF JUST STAY ON THE PERIPHERY AND WATCH OUT FOR PUBLIC SAFETY ISSUES LIKE FIGHTING AND THOSE KINDS OF ACTIVITIES.

>> SO POLICE OFFICERS WHO ARE ASSIGNED TO THIS ARE INSTRUCTED TO NOT MAKE CITATIONS FOR SMOKING IN THE PARKS? OR ANYTHING ELSE?

>> ESPECIALLY BECAUSE IT WOULD TIE UP THE RESOURCES. SO BECAUSE IT'S A STRONG LIKELIHOOD THAT IT WOULD INSIGHT THE CROWD.

SO IT COULD INCREASE THE POTENTIAL CHARGES THAT WOULD TAKE THE OFFICERS OFFLINE, BRING THEM BACK TO THE STATIONS, AND WOULD HAVE FEWER AND FEWER OFFICERS AT THAT EVENT.

SO YOU KNOW WE FEEL IT'S A GOOD DECISION TO JUST MAINTAIN PUBLIC SAFETY ON THAT DAY.

>> I CERTAINLY AGREE PUBLIC SAFETY IS THE MOST IMPORTANT. I WOULD SAY IF WE ARE CONCERNED ABOUT A VIOLENT CROWD, LET'S -- YOU KNOW, ANOTHER REASON THE MOVE THIS EVENT OFF BOSTON COMMON.

BUT THAT IS CONCERNING THAT THAT'S AN APPROACH THAT'S TAKEN. AS A MATTER OF RESOURCES, I THINK CERTAINLY THIS BODY WOULD WANT TO SUPPORT INCREASED RESOURCE HE AND MAKE SURE THAT PEOPLE ARE DOING THIS AND ESPECIALLY FOR THE SALE OF ANY ILLICIT SUBSTANCES, INTERESTING ARTICLE IN THE GLOBE TODAY ABOUT THE OPENING OF RECREATIONAL MARIJUANA DISPENSARIES, THOSE ARE SOMETHING I'M IN FAVOR OF. BUT THOSE ARE HEAVILY REGULATED MATTERS.

AND SELLING WHISKEY IS IN VIOLATION OF STATE AND CITY ORDINANCES, AS AN EXAMPLE SO IS THERE A WAY THAT HAS BEEN ADJUSTED IN THE PAST AS FAR AS THE SALE OF CANNABIS PRODUCTS?

>> AS FAR AS ENFORCEMENT ON THAT DAY, MAINTAIN PUBLIC ORDER, BUT TO TRY TO START ISSUING THESE CITATIONS, THERE'S REALLY NO PLATFORM FOR US TO DEMAND SOMEONE'S IDENTITY.

YOU MENTION ALCOHOL, IT'S WRITTEN IN THE LAW IF YOU DON'T PRODUCE AN I.D. THAT YOU'RE 21 THEN IT'S IMMEDIATELY ARRESTABLE.

BUT THEY CAN GIVE ANY NAME THEY WANT.

THERE'S NO WAY FOR US TO MAKE SOMEBODY GIVE US --

>> THAT IS SOMETHING WE DISCUSSED WITH OUR COLLEAGUES AT THE STATE HOUSE IN THE PAST.

BUT AS FAR AS GOING AND MAKING ARRESTS OR CITATIONS DO ANY OF YOU HAVE THE FIGURES FOR LAST YEAR OR THE YEAR BEFORE, EITHER CITATIONS OR ARRESTS AROUND THIS EVENT?

>> NOT AROUND THIS EVENT IN PARTICULAR BUT AROUND THE BOSTON COMMON.

DETECTIVE LARKIN'S DRUG SQUAD HAS MADE OVER 201 ARRESTS IN THE LAST YEAR FOR DRUGS IN THE COMMON.

>> YEAR-TO-DATE, SERGEANT DETECTIVE DORN RUNS THE DRUG SQUAD, YEAR-TO-DATE THEY HAVE HAD 201 INSTANCES WHERE THEY'VE ARRESTED SOMEBODY OR SOMEBODY HAS BEEN TO COURT FOR DRUG OFFENSES OR ARRESTS THAT WERE OUTSTANDING OR WHATNOT.

IN REFERENCE TO THIS YEARLY EVENT, CAPTAIN HAS ALREADY TALKED A LOT ABOUT IT.

BUT THIS IS NOT ONE PERSON SMOKING A CIGARETTE ON THE COMMON.

THIS IS THOUSANDS OF PEOPLE WHO ARE AWARE IT'S ILLEGAL TO SMOKE IN A PUBLIC PLACE.

WHEN THERE'S THAT MUCH OF A VOLUME OF PEOPLE, AS FAR AS PEOPLE SELLING DRUGS DOWN THERE, WE'VE MADE REACHTS IN YEARS BEFORE.

THE POLICE DEPARTMENT WOULD PUT HUNDREDS OF POLICE OFFICERS DOWN THERE, AT ONE POINT IN TIME SET UP TENTS AND BOOKED THEM RIGHT ON THE COMMON.

>> IT WAS EASIER BEFORE THE CRIMINALIZATION.

BUT NOW MORE LIKE THE ALCOHOL STATUTE, NOW WITH THE DECRIMINALIZATION, IT'S VERY DIFFICULT.

>> AND I KNOW THE WORK OF MEN AND WOMEN IN YOUR UNIT, IT HAS AGAIN NOTICEABLE AND I HEAR BIT ACROSS -- THE DISTRICT I REPRESENT, WHEN WE CALL AND FOR ADDITIONAL RESOURCES, ON A DAY-TO-DAY BASIS, NOT EVENT-BASED, I APPRECIATE THAT. I GUESS I WILL TURN IT OVER TO MY COLLEAGUES.

I DON'T WANT TO MONOPOLIZE THE TIME HERE.

I GUESS WHAT I'D LIKE TO SEE IS IF WE CAN FIGURE OUT A PLAN TO PRESERVE THE FIRST AMENDMENT RIGHTS OF ANYONE WHO WANTS TO USE BOSTON COMMON, PRESERVE THE GOIBILITY.

ENJOYABILITY.

I DON'T THINK IT'S PRUDENT TO IGNORE THE LAWS.

TO BE MORE SUPPORTIVE TO YOU AND THE MEN AND WOMEN WHO WORK IN THE BOSTON POLICE DEPARTMENT, TO MAKE SURE WE'RE MAINTAINING SAFETY THE BEST WE CAN BUT ALSO ENFORCING THE RULES OF THE CITY OF BOSTON, SOMETHING VERY IMPORTANT MOVING FORWARD SO THANK YOU FOR YOUR WORK.

>> THANK YOU, COUNCILLOR ZAKIM. COUNSELOR FLYNN.

>> THANK YOU, COUNCILOR O'MALLEY.

DO YOU HAVE ANY IDEA HOW MUCH THE PARKS DEPARTMENT HAS SPENT BEFORE THE EVENT AND AFTER THE EVENT CLEANING IT UP?

>> YES, SURE, COUNCILOR.

THIS YEAR OUR OT COSTS AND THOSE ARE THE ONLY COSTS WE CAN CAPTURE, THOSE ARE THE ONLY ONES WE CAN ATTRIBUTE TO THE EVENT SPECIFICALLY.

THIS YEAR WE WERE AT \$10,100. IN YEARS PAST WE'VE BEEN AS HIGH AS \$20,000.

THE REASON WE WERE LESS THIS YEAR IS WE COULD NOT JUSTIFY PULLING OUR DISTRICT CREWS OUT OF OUR NEIGHBORHOOD PARKS AGAIN THIS YEAR.

AND THE EVENT ITSELF IS SUPPOSED TO PROVIDE A TRASH MANAGEMENT PLAN WHICH OBVIOUSLY THEY DIDN'T IMPLEMENT.

>> THE SOUTHEASTERN FRIDAY, SATURDAY, SUNDAY.

WHEN DOES THE PARK DEPARTMENT START CLEANING IT, SUNDAY AFTERNOON?

>> WE ACTUALLY CLEAN IT EVERY EVENING AS WELL.

>> WHEN IS IT COMPLETELY CLEANED FOLLOWING AN EVENT?

>> TYPICALLY, A DAY AFTER, COUNCILOR.

WE HAVE EVIDENCE OF DRUG PARAPHERNALIA AND OTHER PIECES OF TRASH FOR WEEKS AFTERWARDS IN THE PARADE GROUNDS.

>> SO IF YOU'RE -- SO TO USE THE PARK FOR COMMUNITY OF CHINATOWN THAT WANTS TO DO THEIR EXERCISES OR CHILDREN THAT GO TO THE PLAYGROUND, MORE LIKELY IT IS THURSDAY THAT THEY'RE ABLE TO USE A CLEAN AND HEALTHY PARK?

>> WE MAKE OUR -- OBVIOUSLY WE MAKE OUR BEST EFFORT ON THAT FIRST DAY AND WE GET THE BULK OF IT BUT IT OFTEN TAKES DAYS FOR IT TO BE COMPLETELY CLEAN.

I HAVE TO SAY THAT THIS IS WITHIN THE CONTEXT OF A MAJOR URBAN PARK AND A MAJOR MUNICIPALITY.

SO WHEN YOU HAVE GROUPS LIKE THE SPRUCE STREET DAYCARE, THEY HAVE TO DO NEEDLE SWEEPS BEFORE THEY ALLOW THEIR KIDS TO PLAY JUST BECAUSE OF THE AWARENESS OF THE

OPIATE CRISIS.

BUT THERE IS NO OTHER EVENT THAT
CREATES THE VOLUME OF TRASH IN
ANY OF OUR PARKS.

LIKE THIS ONE.

>> SO THE PARKS DEPARTMENT IS
WORK CLOSELY WITH PUBLIC WORKS,
PUBLIC WORKS COMES INTO THE PARK
AS WELL?

>> THEY DO COUNCILOR.

AND THEY'RE VERY GRACIOUS BUILT.
THEY ACTUALLY DON'T EVEN CROSS
CHARGE US FOR IT.

WHAT THEY DO IS AT THE END OF
THE EVENT THEY'LL BRING IN THE
STREET SWEEPERS IN TO HELP US GET
THE EMBEDDED TRASH OFF THE
PATHWAYS, THE MACADAM PATHWAYS.

>> THAT ISN'T INCLUDED WITH
PUBLIC WORKS?

>> THAT'S JUST REDISTRIBUTING
THEIR NIGHTLY CREWS.

>> WHAT TYPE OF PHYSICAL REPAIRS
HAS PUBLIC WORKS OR THE PARKS
DONE FOLLOWING THE EVENT?

>> SO THIS YEAR WE HAD SOME
MINOR IRRIGATION HOSE DAMAGE,
WHICH IS -- MINE OAR IRRIGATION
HOSE DAMAGE.

WHEN YOU ARE LOOKING AT
SEPTEMBER THAT'S TIME YEAR WE'D
LIKE TO KEEP THOSE SYSTEMS
OPERATIONAL.

THERE'S BEEN SOME BENCH DAMAGE
BUT TO BE HONEST WITH YOU THAT
COULD HAPPEN IN ANY MAJOR EVENT,
THE CONCERN THIS YEAR THERE WERE
IMAGES OF TREE DAMAGE AND
OBVIOUSLY IT'S MUCH MORE
DIFFICULT TO KEEP THOSE TREES
HEALTHY.

THEY'RE ALREADY LIVING IN A
DYNAMIC URBAN ENVIRONMENT.

>> I KNOW COUNCILLOR ZAKIM
TALKED ABOUT THIS.

YOU KNOW, NO ONE'S AGAINST THE
LEGALIZATION OF MARIJUANA.
BUT WHAT KIND OF COMPROMISE
COULD WE WORK ON, INSTEAD OF
HAVING A THREE DAY EVENT, COULD
WE LOOK AT HAVING A ONE DAY
EVENT AND WOULD THE ORGANIZERS
BEING WILLING TO WORK WITH THE
CITY ON THAT REQUEST?

>> IT'S AN EXCELLENT QUESTION FOR THE ORGANIZERS COUNCILOR. I WILL SAY WE ARE REACTIVE TO WHAT THEY REQUEST FOR THE PERMIT.

BUT IS THE QUESTION IS THE BOSTON PARKS DEPARTMENT WILLING TO WORK WITH THE ORGANIZERS TO MINIMIZE THE ARE IMPACT TO THE PARK, THE ANSWER TO THAT WOULD BE A RESOUNDING YES.

>> I KNOW I MENTIONED IT IN MY OPENING STATEMENT.

BUT TAKING THE PARK AWAY FROM THESE YOUNG KIDS IN A PLAYGROUND, NOT GIVING THEM THE OPPORTUNITY TO USE IT AND THE CHINESE COMMUNITY THAT USES THE PARK AS WELL, ELDERLY CHINESE THAT USE THE PARK, WE HAVE TO DO BETTER THAN THAT, I'M NOT BLAMING ANYONE BUT WE HAVE TO DO BETTER THAN THAT.

IF ELDERLY PEOPLE WANT TO USE THE PARK TO EXERCISE AND THEY CAN'T USE IT BECAUSE OF THIS FESTIVAL AND IT'S NOT CLEANED, I DID GET A LOT OF COMPLAINTS FROM MY RESIDENTS ABOUT THAT ISSUE. AND WE TAKE IT VERY SERIOUSLY.

I JUST WANT TO MAKE SURE THE PARK IS HEALTHY, IS CLEAN, IS VIBRANT, FOR EVERYBODY.

AND I HOPE THE ORGANIZERS CAN UNDERSTAND THAT.

IT'S NOT ABOUT THEM.

BUT IT'S ABOUT HELPING PEOPLE USE THE PARK IN A PRODUCTIVE MANNER.

>> THANK YOU, COUNSELOR FLYNN. COUNCILLOR McCARTHY.

>> THANK YOU VERY MUCH MR. CHAIR.

JUST A QUICK QUESTION CHIEF.

COULD YOU WALK ME THROUGH, I'VE READ A LOT OF THE E-MAILS, THEY'RE GENERALLY NOT MY CONSTITUENTS TO BE HONEST WITH YOU.

BUT ONE OF MY CONSTITUENTS DESCRIBED IT AS GOING FROM A ONE-DAY KIND OF POLITICAL RALLY, TO A THREE-DAY FESTIVAL. SO HOW DID IT GO FROM A ONE-DAY

TO A THREE-DAY WITHOUT HAVING THAT, PUT THE BRAKES ON THERE, AND THEN SECONDLY, NOW THAT MARIJUANA HAS BEEN LEGALIZED, WHY ARE WE HAVING A FREEDOM RALLY ANYWAY?

IS THAT NOT A GOOD QUESTION TO ASK?

BECAUSE IT'S -- YOU KNOW, JUST SEEMS TO ME THAT IT'S LEGAL NOW. SO JUST DO IT SOMEWHERE ELSE, WHERE THEY CAN'T BE BOTHERED, IS THAT A GOOD QUESTION TO REQUEST ASK?

THE SECOND ONE IS MORE OF A STATEMENT.

>> I THINK I'LL ANSWER THE FIRST QUESTION WHICH IS AT DIFFERENT POINTS SINCE THE 1990s THE PARKS DEPARTMENT, WITH THE AID OF THE LAW DEPARTMENT HAS CHALLENGED DIFFERENT ASPECTS OF THIS EVENT.

I WILL SAY WHEN IT WENT TO A THIRD DAY, THE CHALLENGE WASN'T NECESSARILY ON THE THIRD DAY ALTHOUGH THAT WAS SOMETHING THAT WAS GREATLY CONCERNING TO THE PARKS DEPARTMENT.

BECAUSE FRANKLY OUR CONCERN IS WELL, WHY NOT AN ENTIRE WEEK?

I MEAN AT WHAT POINT IS THE BOSTON PARKS DEPARTMENT ALLOWED TO ACTUALLY REGULATE?

IF WE CAN'T REGULATE BOSTON COMMON, AMERICA'S FIRST PARK, THEN WHY DO WE ENFORCE ANY RULES IN ANY OF OUR 330 PROPERTIES?

SO AT WHAT POINT ARE WE GOING TO ACTUALLY BE ALLOWED TO IMPLEMENT RULES AND REGULATIONS TO GOVERN OPEN SPACE OPEN TO THE PUBLIC?

COMMERCIAL VENDING, OUR ABILITY TO KEEP OUR VENDORS ON BOSTON COMMON AND NOT BE SUBJECT TO THIS IDEA THAT THE EVENT CAN JUST HAVE COMMERCIAL VENDING ON THE PROPERTY AND DISPLACE OUR VENDORS.

WE LOST ON THAT.

PERHAPS A BETTER AVENUE WOULD BE POSSIBLY FIGHTING THE ADDITION OF THE THIRD DAY.

I DON'T KNOW.

WHAT I WILL SAY THOUGH, IS AS FAR AS THE EVOLUTION OF THE EVENT, IN FAIRNESS TO THE ORGANIZERS, IF ATTENDANCE IS A MEASURE OF SUCCESS, IT IS A ENORMOUSLY SUCCESSFUL EVENT. I MEAN IT IS VERY, VERY WELL ATTENDED.

THERE DOES NOT SEEM AND THIS IN PART RELATES TO YOUR SECOND QUESTION.

THERE DOES NOT SEEM TO BE A STRONG, CONSISTENT POLITICAL MESSAGE, ALTHOUGH THERE IS DEFINITELY POLITICAL MESSAGES THROUGHOUT THE DAY IN THE EVENT. MY FIVE YEARS AS COMMISSIONER I'VE ATTENDED THE EVENT ALL BUT ONE YEAR.

WHAT THERE DEFINITELY IS IS AN ENORMOUS AMOUNT OF COMMERCIAL ACTIVITY.

I THINK THAT'S WHAT THE EVENTS HAS ACTUALLY EVOLVED INTO. NOT DISSIMILAR TO OTHER MAJOR FESTIVALS THAT YOU WOULD FIND THROUGHOUT THE REGION.

>> THANKS VERY MUCH.

I JUST -- YOU KNOW, I GET HOW IT BEGAN.

BUT I DON'T GET WHY IT NEEDS TO CONTINUES.

AND I TO AGREE WITH THE COUNCILORS WHOSE DISTRICT THIS IS IN.

THE CITY HALL SURFACE IS BRICK, YOU CAN'T REALLY DAMAGE THE BRICK, I GUESS THAT COULD HAPPEN BUT I DON'T SEE THAT HAPPENING. YOU KNOW MY LOVE FOR THE PARKS. IT'S DISAPPOINTING TO KNOW THAT THAT MUCH DAMAGE IS BEING DONE TO AMERICA'S FIRST PARK.

IT'S DISAPPOINTING THAT WE HOLD EVERYBODY ELSE WHO HOLDS A FESTIVAL OA HIGHER STANDARD OF MAKING SURE THAT THEIR TRASH MAINTENANCE PLAN IS CLEAN, WHETHER IT IS THE PUERTO RICAN FESTIVAL OR WHATEVER EFFECTIVELY WE'RE TALKING ABOUT, THE TAX PAIRINGS WHO LIVE IN THE CITY OF BOSTON AND THE BUSINESSES THAT WORK IN THE CITY OF BOSTON AND

HAVE ROT IN THE CITY OF BOSTON
DON'T NEED TO BE PAYING FOR
OTHER PEOPLE'S MESSSES.
THAT'S JUST SIMPLE AND JUST
FACTUAL, I'M LOOKING FORWARD TO
HEARING FROM THE ORGANIZES HOW
THEY CAN DESCRIBE A COMMERCIAL
VEHICLE ON THE COMMON, AND WE'LL
GO FROM THERE, SO THANKS VERY
MUCH.

>> THANK YOU, COUNCILLOR
McCARTHY.

SO FROM MY QUESTIONING I WANT TO
SORT OF TAKE A STEP BACK AND
LOOK AT IT, MORE
PROCESS-ORIENTED, CHIEF YOU
TOUCHED UPON THESE IN A NUMBER
OF YOUR ANSWERS TO MY
COLLEAGUES' QUESTIONS.
EXPLAIN TO ME RIGHT NOW THOUSAND
PROCESS WORKS.

>> SURE.

>> ANY ORGANIZATION WANTS TO
HAVE A RALLY OR FESTIVAL OR
EVENT ON THE BOSTON COMMON, WHAT
DO THEY DO?

>> SURE.

SO THE FIRST STEP IS WE NOW HAVE
AN ONLINE PORTAL FOR PULLING A
PERMIT.

THAT PERMIT WOULD BE PULLED AT
THAT TIME.

THE PERMIT OFFICE OR THE BOSTON
PARKS AND RECREATION DEPARTMENT
WOULD EVALUATE THE PERMIT, SEE
IF THERE'S ANY CONFLICTS.

IF THERE'S NO CONFLICTS AND
MINIMAL IMPACT, QUITE FRANKLY
THE PERSON WOULD BE ISSUED THE
PERMIT.

MAJOR EVENTS WHERE WE THINK
THERE WILL BE MORE MULTIPLE
DEPARTMENTS THAT WOULD BE
IMPACTED BY SUCH AN EVENT,
WHETHER IT'S THE POLICE
DEPARTMENT, BOSTON
TRANSPORTATION DEPARTMENT, WE'LL
SCHEDULE THEM FOR THE SPECIAL
EVENTS COMMITTEE.

THE SPECIAL EVENTS COMMITTEE IS
A UNIFIED COMMITTEE.

THEY DON'T HAVE ANY
PERMIT-MAKING ABILITY, BUT
ULTIMATELY THE PARKS DEPARTMENT

WILL ISSUE THAT PERMIT BUT THAT ORGANIZERS WOULD MEET WITH THE SPECIAL EVENTS COMMITTEE, HOPEFULLY ADDRESS ANY CONCERNS THAT THE INDIVIDUALIZED DEPARTMENTS HAVE, WHETHER IT'S PUBLIC WORKS, MAKE SURE THERE'S NO CONFLICT WITH MAJOR CONSTRUCTION IN THAT AREA, WHETHER IT'S SPILLING OVER THE BOUNDS, FOLLOWING COMPLETION OF THAT IF THEY WERE DEEMED THAT THEY WOULD NEED AN ENTERTAINMENT LICENSE THEY WOULD GET AN ENTERTAINMENT LICENSE THROUGH LICENSING DIVISION.

IF THEY DON'T NEED THAT ENTERTAINMENT LICENSE THE PARKS DEPARTMENT WOULD JUST ISSUE THE PERMIT.

>> SO THERE IS GOOD OVERSIGHT THERE, I WOULD IMAGINE THAT IN YEARS PAST WHEN YOU TALKED ABOUT LITIGATION THE PARKS DEPARTMENT OR SOME STEP ALONG THE WAY, THE FREEDOM RALLY WAS DENIED A PERMIT AND THEN THAT CREATED A LAWSUIT?

>> YES.

AND THE SPECIFICS, I WOULD HAVE TO GET THE CHRONOLOGY. BECAUSE I WOULDN'T WANT TO MAKE ANY MISTAKES.

BUT ULTIMATELY WE HAVE BEEN INSTRUCT BY JUDGES ON NUMEROUS TIMES TO ISSUE THE PERMIT.

>> OKAY.

AND IS IT THE SAME FEE FOR ANY EVENTS, BE IT THE WOMEN'S MARCH, BE IT A SMALLER SPEAKER OR LARGER SUCH AS THIS?

>> THERE'S A SMALL PROCESSING FEE FOR PERMIT APPLICATION BUT ESSENTIALLY THERE ARE NO FEES, ACCORDING TO THE COUNCILORS POINT.

WITH THE PARKS DEPARTMENT OVER THE COURSE OF THE NEXT YEAR, BECAUSE IT'S PROBABLY INCONSISTENT FROM A TAXPAYER'S PERSPECTIVE THAT A LITTLE LEAGUE PAYS ESSENTIAL AS A MAJOR EVENT ON BOSTON COMMON WHICH IS NOTHING.

>> PARTICULARLY IF THERE IS A REVENUE GENERATING MECHANISM AT THOSE THINGS.

SO I LIKE MY COLLEAGUES ABSOLUTELY LOVE THE COMMON, LOVE THE PUBLIC GARDEN, JOG THROUGH IT SEVERAL TIMES A WEEK.

YOU'LL SEE FOLKS THERE WITH ROASTED PEANUTS OR FRIED DOUGH OR TEE SHIRTS THAT THEY ARE SELLING.

DO THEY HAVE PERMITS TO DO THAT?

>> THEY DO.

THOSE ARE VENDORS THROUGH OR VENDING PROGRAM, HISTORICALLY FIVE YEARS AGO THAT VENDING PROGRAM WAS ADMINISTERED BY THE BOYS AND GIRLS CLUB OF BOSTON.

WE HAVE SINCE TAKEN THOSE IN HOUSE AND WE ISSUE THOSE PERMITS ON AN ANNUALIZED BASIS.

THOSE ARE COMMENTED FROM THE ORGANIZERS OR DISPLACED FROM THIS EVENT.

>> SO IF AN EVENT WERE TO COME, I'M DRAWING BACK ON THE WOMEN'S MARCH ENDING THERE SEVERAL YEARS AGO WHICH WE BOTH ATTENDED, THOSE VENDORS WERE PROBABLY DISPLACED JUST BECAUSE OF THE SHEER VOLUME OF PEOPLE WHO WERE THERE.

>> THAT'S RIGHT SIR.

>> SO WITH AN EVENT SUCH AS THE FREEDOM RALLY ARE THEY STILL THERE OR IS THERE DISPLACEMENT BECAUSE OF THE ORGANIZATION, I KNOW SOME OF THE QUESTIONS WILL BE SAVED FOR NEXT PANEL BUT I GUESS I'M TRYING TO WRAP REPLY HEAD AROUND WHAT THE PROCESS IS, AND MAYBE THERE'S AN OPPORTUNITY HERE TO LEAFNT --

>> A QUESTION FOR THE ORGANIZERS, SOME OF THE ORGANIZERS ARE BROUGHT INTO THE EVENT IF THEY ARE WILLING TO PAY INTO THE EVENT, OTHERS ARE DISPLACED.

>> I'LL WAIT FOR THE NEXT PANEL TO GET INTO THAT SPECIFIC QUESTION.

THEN, SOME OF THE E-MAILS I'VE READ AND I'LL GET INTO IT MORE

WITH THE NEXT PANEL BUT FROM A PUBLIC SAFETY STANDPOINT WHAT TIME DOES PARK OFFICIALLY CLOSE?

>> 11:00 AT NIGHT.

>> 11:00 AT NIGHT.

AND HOW DOES IT WORK NOW IF SOMEONE IS SLEEPING IN THE PARK OVERNIGHT?

>> WELL, I USED TO BE THE CAPTAIN OF THIS AREA, AND GENERALLY WOULD SEND THE POLICE THROUGH THE PARK AT 11 AND KEEP PEOPLE MOVING, NOT LOU THAT TO ALLOW THAT TO HAPPEN.

>> A PERSON STRUGGLING WITH ADDICTION, TRYING TO GET THOSE --

>> TO ARE BOYLESTON OR 95 MASS AVENUE OR SOMEWHERE.

>> I'M TALKING ABOUT IN EVENTS OTHER THAN THE FREEDOM OF RALLY SPECIFICALLY, BUT THAT'S SOMETHING I WANT TO GET TO AS WELL.

ALL RIGHT THAT'S ALL I HAVE FOR THIS PANEL.

DO MY COLLEAGUES HAVE QUESTIONS FOR THIS PANEL BEFORE WE GO TO THE NEXT?

THANK YOU, GENTLEMEN, THANK YOU FOR YOUR GOOD WORK.

YOU ARE DISMISSED AND I'D NOW LIKE TO INVITE LIZ VIVA, EXECUTIVE DIRECTOR OF FRIENDS OF THE PUBLIC GARDEN AND BILL FLYNN WHO IS WITH MASS CAN TO PLEASE JOIN US.

>> I'M SORRY FOLKS?

WE HAVE LIZ AND BILL.

>> I'M THE LAWYER FOR MASS AND I WOULD LIKE TO BE ABLE TO SIT WITH HIP AND ADVISE HIM.

WE HAVE SOME LAWYERS HERE AND I THINK (INAUDIBLE) I ACTUALLY HAVE MANY OF THE ANSWER HE YOU ASKED THE PARKS DEPARTMENT BECAUSE I'VE BEEN THE ONE THAT SUED THE CITY EVERY SINGLE YEAR SINCE 1994.

SO I ACTUALLY HAVE A GREAT INSTITUTIONAL MEMORY OF WHAT'S GOING ON.

>> WE ARE GOING TO RECESS -- SIR I'M SORRY YOU CAN'T STAY HERE.

WE'RE GOING TO HAVE A QUICK RECESS AND WE'RE GOING TO SORT THIS OUT.

IF YOU ARE NOT HERE YOU CAN'T BE ON THE FLOOR.

SO WE'LL RECESS THIS HEARING FOR JUST A COUPLE OF MINUTES.

[RECESS]

>> THE HEARING IS BROUGHT BACK TO ORDER.

I'M SORRY MR. FLYNN WE'VE DECIDED, TO BE FAIR AS PROMISED WE'RE GOING TO HAVE ONE PERSON FROM EACH SIDE.

IT CAN BE YOU OR YOUR ATTORNEY, IT CAN'T BE BOTH, THANK YOU.

SO LIZ WE'LL BEGIN WITH YOU.

DID YOU HAVE A PRESENTATION?

>> YES.

I THINK -- THIS IS ON GREAT.

YES, I'LL BE USING A POWERPOINT FOR MY PRESENTATION.

MY NAME IS LIZ VISA AND I'M EXECUTIVE DIRECTOR OF THE FRIENDS OF THE PUBLIC GARDEN.

WE WORK IN PARTNERSHIP WITH THE CITY TO RENEW, CARE AND ADVOCATE FOR BOSTON COMMON, THE PUBLIC GARDEN AND THE COMMONWEALTH AVENUE MALL.

THE FRIENDS IS AN ESSENTIAL PARTNER WITH THE BOSTON CITY PARKS DEPARTMENT TO ENSURE THAT THESE THREE PARKS GET THE RESOURCES THEY NEED FOR MAINTENANCE AND ENHANCEMENT IN ORDER TO SERVE THE MOSTLES PEOPLE WHO USE THEM EVERY YEAR.

IN 2019 WHEN WE WERE SPENDING OVER \$2 MILLION FOR PARKS CARE AND PROGRAMS WHICH INCLUDES TREES, TURF, SOIL AND SCULPTURE CARE AS WELL AS CAPITAL IMPROVEMENT PROJECTS.

I AM HERE TO TESTIFY IN BEHALF OF THE FRIENDS AS WELL AS A LARGER COALITION OF VOICES AROUND THE PARKS INCLUDING THE BAY VILLAGE NEIGHBORHOOD ASSOCIATION, BEACON HILL BUSINESS ASSOCIATION, BEACON HILL CIVIC ASSOCIATIONS? CHINATOWN RESIDENTS ASSOCIATION, DOWNTOWN BOSTON RESIDENTS

ASSOCIATION, HILL HOUSE, THE NEIGHBORHOOD ASSOCIATION OF THE BACK BAY, PARK STREET SCHOOL AND SPRUCE STREET SCHOOL.

THIS COALITION REPRESENTATIVES OVER 55,000 -- REPRESENTS OVER 5055,000 MEMBERS OF THE COMMUNITY WHO CONSIDER THE COMMON THEIR NEIGHBORHOOD PARK, AS WELL AS ORGANIZATIONS THAT SERVE BOSTON AVERAGES CHILDREN AND YOUTH WHO REGULARLY USE THE COMMON.

WE ARE HERE BECAUSE WE OPPOSE THE CONTINUED DESTRUCTIVE USE OF THE COMMON FOR THE FREE DOMG RALLY, DUE TO THEIR FLAGRANT DISREGARD OF THE RULES, THIS IS NOT ABOUT MARIJUANA AND ITS LEGALIZATION AND USE.

FREE SPEECH HOWEVER DOES NOT JUSTIFY MULTIPLE VIOLATIONS OF A PERMIT.

THE PERMIT REQUIRES THE ORGANIZERS TO KEEP THE SITE CLEAN THROUGHOUT EVENT.

EACH YEAR THIS EVENT LEAVES A TROUBLESOME AMOUNT OF TRASH BEHIND.

THIS YEAR WAS THE WORST WE HAVE EVER SEEP.

THERE WERE MOUNTAINS OF TRASH INCLUDING PAPER, CARDBOARD BOXES, CANS OF COOKING OIL, AND PLASTIC BAGS OF TRASH.

ON THE FISHES DAY OF THE EVENT, CARS -- FIRST DAY OF THE EVENT CARS DROVE ON THE COMMON FROM MULTIPLE NONVEHICULAR ENTRANCES, ARE INCLUDING PEDESTRIAN ENCUMBRANCES FROM PEOPLE WALKING THROUGH PARK.

THE BLUE ARROWS, INDICATE THE ONLY AUTHORIZED ENTRANCE FROM CHARLES AND BEACON STREET.

CARS WERE FLOWING IN THE ENTRANCE BY CHARLES AND BOYLESTON AND AN ENTRANCE LOOM ALONG TREMONT STREET AND ALONG PEDESTRIAN PATHS.

SCORES OF CARS WERE PARKED ON LAWNS, ALSO A VIOLATION OF THE PERMIT.

THERE WERE TENTS SET UP AND

PEOPLE SLEEPING IN THE PARK
OVERNIGHT WHICH IS NOT ONLY A
PERMIT VIOLATION BUT A
VIOLATION OF STATE REGULATION.
IT'S AMERICA'S FIRST PUBLIC
PARK.

AT THE TIME THESE HUNDREDS OF
PERMIT EVENTS EVERY YEAR MANY
WITH TENS OF THOUSANDS OF
PARTICIPANTS INCLUDING RUNS AND
WALKS.

WE SEE THESE WELL ORCHID EVENTS
TAKE PLACE ON BOSTON COMMON EACH
YEAR, AND NONE CAUSES THE AMOUNT
OF DAMAGE AND DISRUPTION THAT
THE FREEDOM RALLY DOES.

THIS IS A SENTENCE FROM OUR
PERMIT FOR THIS YEAR.

ANY VIOLATIONS OF THE
AFOREMENTIONED RULES AND
REGULATION WILL RESULT IN THE
IMMEDIATE REVOCATION OF PERMIT
AND SUSPENSION OF PERMIT
PRIVILEGES AND I JUST OUTLINED A
NUMBER OF PERMIT VIOLATIONS AND
SHOWED YOU THE EVIDENCE.

AS YOU HEARD EARLIER THE BOSTON
FREEDOM RALLY STARTED AS A ONE
DAY EVENT AND TOOK UP A
RELATIVELY LIMITED AMOUNT OF
SPACE IN THE PARK WITH NO
OVERNIGHT CAMPING.

IT BECAME A TWO YEAR EVENT
SEVERAL YEARS AGO AND LAST YEAR
IT GREW TO THREE DAYS.

AS THE EVENT HAS GROWN OVER THE
YEARS IN BOTH THE NUMBER OF DAYS
NUMBER OF PARTICIPANTS AND
COVERAGE ON THE COMMON IT WAS
50% LARGER THIS YEAR, WITH ALL
THE WAY TO BANDSTAND WHICH IS
THE LOWER AREA OF THAT RED.

IT HAS REACHED THE POINT WHERE
THE ORGANIZERS HAVE FAILED TO BE
ABLE TO MANAGE IT.

WE HAVE HEARD COMPLAINTS FROM
COMMUNITY MEMBERS OVER THE YEARS
BUT THE FRUSTRATIONS AND CALL
FOR ACTION ON THE PART OF THE
CITY HAS ONLY GROWN WITH THE
EVENT'S GROWTH AND UNMANAGED
EXECUTION.

I WANT TO READ A SELECTION OF
COMMENTS FROM LETTERS WE

RECEIVED ABOUT THE EVENT BOTH FROM BOSTON RESIDENTS AS WELL AS PEOPLE VISITING OUR CITY.

THIS EVENT IS A DISGRACE TO THE CITY.

I HAVE NO OBJECTION TO CANNABIS BUT I DO HAVE AN OBJECTION TO VIOLATING THE CITY AND PARK ORDINANCES, SMOKING LITTERING PARKING ON THE GRASS CAMPING OVERNIGHT.

MY DOOR IS ON BRANCH DESCREEED AND OVER THE YEARS DURING THIS EVENT WE HAVE BEEN SUBJECTED TO URINATION, SLASHED TIRES, DRUG USE AND LEFTOVER HYPE DER MIC NEEDLES ON OUR STREET.

THIS IS -- HYPODERMIC NEEDLES ON OUR STREET.

PROBLEMS HAVE ESCALATED OVER THE YEARS.

THIS IS A TRIP ADVISOR COMMENT FROM LAST YEAR.

DRUGS BEING DONE SLEEPING ON BENCHES, JUST DISGUSTING.

IT IS A SHAME BECAUSE IT SHOULD BE WELCOMING TO FAMILIES, COUPLES, SINCE WHO WOULD NEVER WALK HERE ALONE.

SHAMEFUL.

WE OBSERVED MULTIPLE TENTS WITH OCCUPANTS IN IT LONG AFTER THE ACTIVITIES WERE SUPPOSED TO END, NOT TO MENTION THE RIVER EVER TRASH THAT LINED THE WALKWAYS. IT LOOKED LIKE NOTHING LIKE THE OLDEST CITY PARK IN THE ENTIRE COUNTRY THAT EVERYBODY SHOULD BE PROUD OF AND MORE LIKE A GIANT 50 ACRE DUMPSTER.

AND THIS LAST ONE, I -- THIS IS FROM SOMEBODY THAT COMES FROM OUT OF TOWN EVERY YEAR FOR A FAMILY REUNION SHE SENT THIS TO US BEFORE THE EVENT THIS YEAR.

I'VE TRAVELED TO BOSTON MID SEPTEMBER FOR AN ANNUAL FAMILY REUNION FROM MIAMI, FLORIDA. UNFORTUNATELY IN PREVIOUS YEARS WE'VE ENCOUNTERED ARE DISTURBING ACTIVITY ON THE BOSTON COMMON, I JUST REALIZED IT WILL BE HERE AGAIN SHOULD WEEKEND, I DO NOT WANT MY CHILDREN EXPOSED TO THE

DRUGS SMOKING AND OBSCENE
BEHAVIOR I'VE SEEN OVER THE
YEARS.

UNACCEPTABLE DMOOJT TO THE PARK
AND PROVOKING THE FRUSTRATION OF
MANY WHO DO NOT FEEL COMFORTABLE
OR SAFE GOING TO THE PARK DURING
THIS EVENT HAS CREATED AN
UNACCEPTABLE ON THE CITY'S
CENTRAL AND MOST INTENSIVELY
USED PARK.

PROMISES HAVE NOT BEEN KEPT YEAR
FRANKLY AND IT SHOWS A TOTAL
LACK OF UNDERSTANDING OF WHAT IT
IS THAT MASS CAN IS DOING AND
TRYING TO DO.

THERE HAS NEVER BEEN A VIOLENT
CROWD THAT MASS CAN HAS PRODUCED
BY OPENING THEIR ARNLS -- ARMS
TO THE PUBLIC SINCE 1990, I
BELIEVE TWO -- 1991, I STARTED
AT THE I THINK FOURTH ANNUAL
RALLY.

AND THAT RALLY I WAS ASKED BY
THE MASS CAN AND BY THE ACLU TO
HELP MASS CAN BECAUSE OF THE
GRAFT THAT WAS GOING ON WITH THE
BOSTON POLICE DEPARTMENT.
THE BOSTON POLICE DEPARTMENT,
EVERY SINGLE YEAR WOULD DEMAND
MONEY FROM MASS CAN AND IT WAS
LITERALLY MY JOB TO HAGGLE WITH
THEM OVER HOW MANY PEOPLE WE HAD
TO PAY.

>> SIR, ALL RIGHT, GET TO YOUR
POINT BECAUSE I WILL NOT SIT
HERE WHILE YOU BRING UP
UNSUBSTANTIATED ALLEGATIONS OF
THE BOSTON POLICE DEPARTMENT.

>> YOU SIT HERE WHEN --

>> DON'T POINT AT MISS VISA, AS
A CURRENCY I'VE ALLOWED YOU TO
TESTIFY IN THE SECOND PANEL.

I WOULD STRONGLY URGE YOU TO
CHANGE YOUR TONE AND HAVE A
SUBSTANTIVE CONVERSATION WITH
THE BOSTON CITY COUNCIL.

OTHERWISE THIS IS A WASTE OF
EVERYBODY'S TIME.

>> MASS CAN, WE WERE INVITED TO
VISIT THE FRIENDS OF THE PUBLIC
GARDEN AND WE WENT THERE.
WE ASKED THEM FOR ANY
DOCUMENTATION THAT THEY HAD

ABOUT THE THINGS THEY WANTED TO TALK WITH YOU ABOUT HERE TODAY. THEY REFUSED TO GIVE MASS CAN ANY DOCUMENTATION OF THAT. WE HAVE NO EVIDENCE THAT -- THAT THERE WERE PEOPLE SETTING UP BEFOREHAND.

WE HAVE NO EVIDENCE THAT MONETARY TRANSACTIONS FROM MERCHANDISE CONCERNING VERNGDZ SELLING BEFORE THE OFFICIAL EVENT TIME TOOK PLACE, WE HAVE NONE OF THAT.

ALL WE HAVE IS ASSERTIONS. AND IN FACT YOU SAY YOU DON'T WANT TO TAKE ANECDOTAL EVIDENCE OR YOU DON'T WANT TO TAKE UNSUBSTANTIATED EVIDENCE, THAT IS PRECISELY WHAT YOU DID WITH THE LAST PANEL.

NO ONE PROVIDED WITH YOU ANY DOCUMENTARY EVIDENCE OF ANY KIND AND YOU I PRESUME ARE CHOOSING TO CREDIT THE RESPONSES THAT THEY GAVE AS IF THEY WERE FACT. AND THAT YOU MIGHT EVEN CREDIT THE RESPONSES OF THE -- OF FRIENDS OF THE BOSTON GARDEN AS FACT.

WE WENT TO THAT MEETING ASKING, ASKING FOR ANY DOCUMENTATION. IT WAS CLEAR, IT WAS CLEAR AS A RESULT OF THAT MEETING THAT THEY WERE SANDBAGGING, MEANING THEY DID NOT WANT TO TELL US ANYTHING THAT WE MIGHT BE ABLE TO MEANINGFULLY RESPOND TO.

WE'D BE HAPPY TO MEANINGFULLY RESPOND TO CONCERNSxD THAT THEY HAVE, B5.R EVIDENCE OF IT AND I HAVEN'T HEARD IT HERE TODAY.

I SAW-9! SOME2IKTTLE PICTURES OUTLINING AREAS WHERE THEY CLAIM THERE IS TRASH.

I SAW SOME PICTURES OF TRASH. I DON'T KNOW WHEN THAT PICTURE WAS TAKEN.

IT CLEARLY WAS NOT MASSlp CAN'S BEST YEAR, BUT THAT DOES NOT MEAN THAT MASS CAN DOES NOT HAVE A RIGHT TO PROTEST AT THE COMMONS AND MR. ZAKIM,xD fáçó MR. McCARTHY, NO ONE ISS&AGAINST LEGALIZATION OF MARIJUANA, AND NOWt(Ñi THAT IT'S

LEGAL WHY DO WE NEED TO HAVE
THIS RALLY?
FIRST OF ALL, TO SAY THAT NO ONE
IS AGAINST LEGALIZATION, EVEN
NOW, IS NOT A FAIR STATEMENT IN
THE STATE OF MASSACHUSETTS.
THERE THE STATE OF
MASSACHUSETTS.
THERE ARE REFERENDUMS ALL OVER
THE STATE.
THERE ARE CITIES THAT ARE
TURNING DOWN MARIJUANA
BUSINESSES THAT COME.
THERE IS PLENTY OF REGULATION
AND DISCRIMINATION AND
PREVENTION OF LEGALIZATION TO
REACH ITS FULL FRUITION.
AND FOR THE CITY COUNCIL TO SAY
THAT THEY -- WE'VE ALL, WE'RE
ALL IN FAVOR EVER LEGALIZATION,
I'VE NEVER SEEN ANY OF YOU, ANY
OF YOU AT ANY OF THE PAST
RALLIES CARRYING SIGNS OR
ADVOCATING LEGALIZATION.
MAYBE THAT'S NOT YOUR CUP OF TEA
BUT THE REALITY IS IT IS THE CUP
OF TEA FOR A NUMBER OF PEOPLE
AND THEY HAVE A RIGHT TO EXPRESS
THEMSELVES.
NOW MASS CAN IS WILLING AND --
TO WORK WITH AND IN FACT WE WENT
TO THAT MEETING HOPING TO FIND
SOME ABILITY TO ACHIEVE SOME
COMMON GROUND.
I'M NOT THE SPOKESMAN FOR COMMON
GROUND.
THE SPOKESMAN FOR COMMON GROUND
YOU WOULDN'T LET SIT HERE
BECAUSE IT WILL BE TWO AGAINST
ONE.
I'M FINE, DOING EVERYTHING
EXCEPT TALKING ABOUT THE
MINUTIAE OF TRASH PICKUP AND
THINGS LIKE THAT.
I DO NOT HAVE THOSE KINDS OF
DETAILS.
WHAT I DO HAVE HOWEVER IS AN
ENORMOUS HISTORY WITH THIS
ORGANIZATION.
AND THIS -- THE COMMON IS NOT --
NOT THE PLAYGROUND FOR THE
PEOPLE WHO LIVE AROUND IT, OR
YOUR CONSTITUENTS MR. ZAKIM.
ANY MORE THAN IT IS THE FIRST

PLACE IN THIS COUNTRY WHERE FREE
SPEECH WAS ALLOWED.

IT IS THE CRADLE OF LIBERTY.

THIS IS THE CRADLE OF LIBERTY

AND THAT YOU WANT TO HELP THE

WELL HEELED FOLK THAT HAVE

MANAGED TO BUY PROPERTY AROUND

THE COMMON, TO THE DETRIMENT OF

FREE SPEECH, IS INSULTING TO

YOUR FATHERS' NAME FRANKLY.

>> OKAY, OKAY.

>> LED LET ME RESPOND TO THAT.

JOHN YOU OBVIOUSLY CAME HERE

LOOKING FOR A FIGHT AND IF YOU

WANT A FIGHT YOU'RE GOING TO GET

ONE.

SHUT YOUR MOUTH.

YOU ARE GOING TO COME HERE

INSULT ME INSULT MY FATHER WHO

USED CANNABIS WHEN HE WAS DYING

OF CANCER, I MYSELF AM A

SUPPORTER OF CANNABIS.

WE ARE TALKING ABOUT UNIFORM

APPLICATIONS, YOU'RE A CIVIL

RIGHTS ATTORNEY SO YOU SAY YOU

OBVIOUSLY UNDERSTAND THAT THERE

ARE RULES THAT UNIFORMLY ARE

PLIED ACROSS THE CITY OF BOSTON

THAT JUST BECAUSE YOU'RE SAYING

YOU ARE PROCANNABIS,

IS, YOU KNOW, THE FRIENDS OF THE

PUBLIC GARDEN WORK SO HARD

RAISING MONEY, PUTTING THEIR OWN

MONEY IN AT TIMES TO MAKE THE

PARK LOOK BEAUTIFUL AND YOU DO

THAT NOT JUST FOR YOURSELF, BUT

FOR A LOT OF PEOPLE THAT REALLY

DON'T HAVE THE ABILITY TO RAISE

THAT TYPE OF MONEY, SUCH AS MY

COMMUNITY IN CHINATOWN, VERY

LOW-INCOME RESIDENTS THERE.

SO YOUR WORK IS GREATLY

APPRECIATED ON BEHALF OF SO MANY

PEOPLE.

AND I JUST DON'T LIKE TO SEE

ANYONE UNFAIRLY CRITICIZE YOU OR

THE FRIENDS OF THE PUBLIC GARDEN

AS BEING OUT OF TOUCHDOWN OR

BEING ELITIST BECAUSE I

REPRESENT THE ENTIRE

NEIGHBORHOOD OF CHINATOWN AND SO

THEY'RE WITHOUT A LOT OF MONEY,

THEY'RE WITHOUT A LOT OF ACCESS

TO HIGH-POWERED LAWYERS, BUT

THEY DO HAVE A CITY COUNCIL THAT
WORK HARD ON THEIR BEHALF SO
THAT'S OUR JOB.

OUR JOB IS TO REPRESENT PEOPLE
THAT DON'T HAVE THE ABILITY TO
HIRE LAWYERS.

>> I'M NOT PAID, SIR.
I'M NOT PAID AT ALL.

>> LET ME FINISH.
LET ME FINISH.

>> THAT'S AN UNFAIR ACCUSATION.
I AM NOT A HIRED LAWYER.

>> THE COUNCILOR IS ASKING THE
QUESTION.

>> SO WHAT RECOMMENDATION MAY
YOU HAVE, WHETHER IT'S A
COMPROMISE OR TO WORK TOGETHER
IN TERMS OF WOULD IT BE
ACCEPTABLE TO HAVE A POSSIBLY
ONE-DAY RALLY, OR TO HAVE MORE
STRUCTURE OR TO HAVE MORE
GUIDELINES FOR THE ORGANIZERS
PRIOR TO THE ISSUING OF A
PERMIT?

IS THAT SOMETHING WE COULD
HOPEFULLY WORK ON?

>> I THINK ONE OF THE CHALLENGES
IS THERE'S A PERMIT AND THERE'S
VERY CLEAR REQUIREMENTS TO THE
PERMIT AND THOSE REQUIREMENTS,
WHETHER IT'S PICKING UP TRASH,
SWEEPING OVERNIGHT, CARS DRIVING
IN UNAUTHORIZED ENTRANCES,
SCORES OF CARS PARKED ON THE
LAWNS AND OTHER THINGS THAT I
THINK OTHER PEOPLE WILL ADDRESS
IN THEIR COMMENTS FROM THE
COMMUNITY AND NOT FROM
OURSELVES, BUT I THINK THEY HAVE
HAD HAD GUIDELINES AND THEY HAVE
NOT HONORED THOSE GUIDELINES
CONSISTENTLY.

AS I SAID, WE'RE -- I AM
SPEAKING NOT JUST FOR THE
FRIENDS, BUT FOR ALL THE
NEIGHBORHOODS AROUND THIS PARK
THAT IS SO INCREASINGLY
FRUSTRATED AND INCREASINGLY
DISENCHANTED WITH THE USE OF THE
PARK FOR THE FREEDOM RALLY.

WE SUPPORT FREE SPEECH.
WE SUPPORT AN EVENT.

IT'S NOT A QUESTION ABOUT THIS
EVENT HAPPENING, BUT IT HAS BEEN

MENTIONED BEFORE THAT CITY HALL PLAZA WILL BE PERHAPS -- WE'RE NOT PROPOSING IT, BUT THERE ARE OTHER PLACES THAT THIS EVENT CAN TAKE PLACE AND NOT IMPACT 55,000 RESIDENTS AND MORE, TENS OF THOUSANDS OF PEOPLE THAT COME TO THE PARK AND ALSO FLAUNT THE PERMIT THE WAY THEY HAVE.

>> THANK YOU, LIZ.

AND COUNCIL, WOULD YOU AND YOUR ORGANIZATION BE OPEN TO A COMPROMISE IN TERMS OF POSSIBLY HAVING THE EVENT FOR ONE DAY?

>> WE'VE DISCUSSED -- AND I'M NOT A MEMBER OF MASS CAN. I AM THEIR REPRESENTATIVE.

AS THEIR LAWYER, I HAVE BEEN PART OF CONVERSATIONS THAT HAVE BEEN HAD, THAT HAVE TALKED ABOUT REDUCING THE NUMBER OF DAYS.

I THINK THAT REDUCING IT ONE DAY, BACK TO TWO IS WHAT WAS DISCUSSED AND THAT IS SOMETHING THAT IS REASONABLE, AND I THINK -- I DON'T SPEAK FOR THE ORGANIZATION IN EVERY CAPACITY, MY UNDERSTANDING IS THAT'S SOMETHING THEY'RE WILLING TO DO. THEY'RE ALSO WILLING TO DISCUSS OTHER VENDORS, TRASH CONTAINMENT.

THAT IS NOT WHAT THERE'S A FIGHT ABOUT.

THERE'S NOT A FIGHT ABOUT THAT.

>> HOW MANY VENDORS ARE ALLOWED ON THE COMMON OR HOW MANY DO YOU USUALLY HAVE?

>> I DO NOT KNOW THE ANSWERS TO THOSE QUESTIONS.

I DO KNOW THE ANSWERS TO SOME OF THE QUESTIONS ABOUT SLEEPING AND DRIVING ON THE COMMONS.

>> WE'LL GET TO THOSE.

OKAY.

SO DO YOU HAVE A ROUGH ESTIMATE OF HOW MANY VENDORS THERE ARE?

>> NO, I DEAL WITH THE LEGAL ASPECTS.

>> COULD YOU TELL US HOW MUCH THE ORGANIZERS HAVE MADE ON THIS RALLY?

>> THEY DON'T MAKE MONEY.

THEY'RE A NONPROFIT ORGANIZATION.

>> DO WE HAVE AN IDEA OF HOW MUCH THE VENDORS WOULD NORMALLY MAKE?

>> I HAVE NO IDEA.

HOW WOULD SOMEONE GET A PERMIT TO SELL MARIJUANA OR TO SELL IT ON THE COMMON LIKE THAT?

>> NO ONE WOULD GET A PERMIT TO SELL MARIJUANA BASED UPON MY UNDERSTANDING OF THE LAWS.

>> SO WHERE WOULD THEY GET THE MARIJUANA FROM ON THE COMMONS?

>> WHO?

THE PARTICIPANTS.

, IF BY THAT

YOU MEAN THE PEOPLE WHO ARE INVITED TO THE RALLY, THOSE INDIVIDUALS CAN EITHER BRING IT THEMSELVES OR I DON'T KNOW WHERE THEY GET IT.

AND I'M HEARING A HISS.

IS SOMETHING LEAKING OVER THERE?

>> SO THERE'S NO DRUG DEALING?

THERE'S NO MARIJUANA DEALING ON THE BOSTON COMMONS?

>> I CAN'T SAY THAT.

I HAVE NO IDEA WHETHER THERE IS MARIJUANA DEALING ON THE COMMONS.

I CAN TELL YOU THAT MASS CAN DOES NOT SELL MARIJUANA ON THE COMMONS.

PERIOD.

EVER.

IN FACT, MASS CAN DOESN'T SELL MARIJUANA.

IT IS AN ADVOCACY ORGANIZATION.

>> I MEAN, I HAVE OTHER

QUESTIONS, BUT YOU'RE NOT

PROBABLY -- I WANT TO GET MORE

SPECIFIC IN TERMS OF HOW MUCH

ABOUT THE FUNDING, THE

PERMITTING, THE GROUPS THAT ARE

SELLING VARIOUS STUFF ON THE

COMMONS.

I WOULD LIKE TO GET SOME

INFORMATION ABOUT THAT.

MAYBE YOU CAN PROVIDE

INFORMATION, MAYBE YOU CAN'T,

BUT IF YOU'RE NOT ABLE TO, COULD

YOU PROVIDE US SOME WRITTEN

DOCUMENTS AFTER?

>> WHAT I CAN TELL YOU IS THAT MY UNDERSTANDING OF THE ORGANIZATION IS THEY DO NOT PERMIT THEIR VENDORS TO ENGAGE IN ANY ILLEGAL ACTIVITY.

IF THEY HAVE DONE SO, THEY SHOULD BE EITHER KICKED OUT, NEVER ALLOWED BACK, OR SOME OTHER PUNISHMENT.

AND I DO KNOW THAT THAT'S WHAT WAS DONE WHEN THAT WAS BROUGHT TO THE ORGANIZERS' ATTENTION AT THIS LAST YEAR'S RALLY.

I SKIPPED THIS LAST YEAR'S RALLY, MOSTLY BECAUSE I AGREED WITH HIM.

I THOUGHT WE DIDN'T HAVE TO FIGHT ABOUT THIS ANYMORE.

BUT OBVIOUSLY, I WAS WRONG.

AND I WILL BE ATTENDING EVERY RALLY HENCEFORTH SIMPLY TO MAKE SURE THAT I KNOW EXACTLY WHAT EVERYONE ELSE KNOWS.

NOW, I HAVE SEEN AND I'VE BEEN TO PAST EVENTS WHERE THERE HAS BEEN TRASH AND I PERSONALLY, EVEN THOUGH I'M NOT REQUIRED TO, HAVE GONE AND PICKED UP TRASH. AND, IN FACT, I'VE WATCHED EVERY MEMBER OF MASS CAN WALK AROUND WITH A TRASH CAN DOING PRECISELY THAT, TRYING TO URGE THE CROWD AND THE CROWD DOES THROW THEIR THINGS ON THE GROUND.

>> HOW MANY PEOPLE ATTEND THE RALLY?

>> I DON'T KNOW EXACT NUMBERS, BUT WE HAVE SAID OVER 50,000 AT ONE POINT IN TIME, I BELIEVE.

IT USED TO BE EVERYONE WOULD COMPACT IN NEAR THE STAGE.

NOW, IT HAS BECOME -- AS ITS BECOME MORE LEGAL, IT'S BECOME MORE OF A FESTIVAL THAN A FIGHT.

>> CAN YOU UNDERSTAND MY CONCERNS OF REPRESENTING A COMMUNITY THAT BORDERERS THE COMMON OR PUBLIC GARDEN, SUCH AS THE HOMELESS COMMUNITY, SUCH AS THE CHINATOWN COMMUNITY.

THEY MAY NOT HAVE MONEY, BUT THEY LOVE THE COMMONS, TAKING IT ALL IN.

THEY USE THE PLAYGROUND TO TAKE

THEIR KIDS THERE FOR COUPLE OF HOURS.

CAN YOU UNDERSTAND THEIR CONCERN OR DO YOU HAVE ANY COMPASSION FOR THEM ABOUT THEIR USE OF THE PARK?

>> DEEPLY.

AND, IN FACT, I VOLUNTEER MY TIME GIVING MY LEGAL SERVICES FREE TO THE ARCHDIOCESE.

I KNOW THE HOMELESS PRIEST THERE.

I WORK WITH HER.

I WORK WITH HER WHEN HOMELESS PEOPLE GET IN TROUBLE THAT ARE PART OF HER FLOCK.

I WORK WITH HER IN HELPING OTHER MEMBERS OF THE CONGREGATION THAT PRACTICES THERE OR PRACTICES THEIR FAITH THERE AND THEY HAVE AN ISLAMIC --

>> SIR, CAN YOU UNDERSTAND MY CONCERN OF ELDERLY PEOPLE THAT LIKE USING THE BOSTON COMMON TO EXERCISE THAT THEY CAN'T USE IT DURING THAT PERIOD OF TIME BECAUSE IT WAS NOT CLEAR?

>> I WAS TELLING YOU THAT I HAVE COMPASSION FOR SOME OF THE PEOPLE -- NOW, YOU'RE ASKING ME TO EXPAND MY COMPASSION?

I THINK I CAN EXPAND MY COMPASSION, BUT I DON'T WORK WITH THEM SO I DO HAVE COMPASSION AND I HAVE COMPASSION FOR PEOPLE THAT WANT TO DO TAI CHI ON THE COMMON.

I'VE SEEN THAT, BUT THEY DON'T NEED TO DO TAI CHI ON THE DAY THAT WE ARE HAVING THIS RALLY OR IN THE AREA WHERE THIS RALLY IS GOING ON AND --

>> WELL, SIR, THOSE ARE THE PEOPLE THAT I REPRESENT AND THEY LIVE IN THE AREA AND THEY CONTRIBUTE TO THE CITY AND THEY CONTRIBUTE TO MAKING THIS PARK BEAUTIFUL.

AND THEY WOULD LIKE TO USE THE BOSTON COMMON DURING THAT PERIOD OF TIME.

I'M JUST ASKING YOU RESPECTFULLY WOULD YOU BE MORE COMPASSIONATE TO THOSE PEOPLE?

WILL YOU BE MORE UNDERSTANDING?
>> I'M HAPPY TO BE BOTH
COMPASSIONATE AND UNDERSTANDING.
HOWEVER, THE TIMES WHEN I AM
CALLED INTO SERVICE, JUST TO BE
FAIR, ARE THE TIMES WHEN THE
CITY OF BOSTON, PARKS
DEPARTMENT, BEHAVES
DISRESPECTFULLY TO PEOPLE'S FREE
SPEECH RIGHTS AND I HAVE
ACTUALLY A FAIRLY DECENT TRACK
RECORD PROVING THAT WE WERE
RIGHT AND THE CITY OF BOSTON WAS
WRONG.
AND WE TALK ABOUT PERMITTING AND
DOING THINGS IN ADVANCE SO WE
DON'T HAVE TROUBLES.
I HAVE URGED EVERY ONE OF THESE
SPECIAL MEETINGS THAT HAVE BEEN
HAD AND I'VE GONE TO THEM THAT
ARE DONE IN ADVANCE AND I'VE
SAID CAN WE WORK ALL THIS OUT IN
ADVANCE?
AND LITERALLY, THIS HAS BEEN THE
STRATEGY OF THE CITY, EVERY
YEAR, TO NOT ISSUE THE PERMIT
UNTIL ALMOST THE LAST, FORCING
ME -- I'VE DONE TRIPLE
OVERNIGHTERS OVER THE YEARS TO
GET AN INJUNCTION READY IN TIME
BECAUSE THE CITY ACTUALLY IS
PLAYING CHICKEN WITH US EVERY
YEAR, NOT REALLY CARING TO
ENGAGE ON THE ISSUES.
WE'VE TRIED TO ENGAGE ON ISSUES.
WE'VE, IN FACT -- IN FACT, WE
HAVE PAID THE PARKS DEPARTMENT A
FEE FOR CLEANING UP THE PARKS
EVERY YEAR AND --
>> HOW MUCH IS THAT FEE?
\$2,200 AND MULTIPLE YEARS THE
CITY NEVER BOTHERED TO CASH IT.
MOSTLY BECAUSE THEY DIDN'T LIKE
DOING BUSINESS WITH MASS CAN.
INDEED, WHEN THE BOYS AND GIRLS
CLUB, WE WERE TOLD WE HAD TO USE
THEM AS VENDORS, WE DID.
AND WE USED THEM AS VENDORS
UNTIL MASS CAN PUT OUT A
WONDERFUL FLIER SAYING MASS CAN
SUPPORTS THE BOYS AND GIRLS CLUB
AND THE BOYS AND GIRLS CLUB
WOULDN'T LET US DO IT ANYMORE
BECAUSE THEY DIDN'T WANT THEIR

NAME ASSOCIATED WITH MASS CAN SO WE WORKED WITH THE CITY OVER THE YEARS, ALL THE TIME.

>> THANK YOU, COUNCILOR AND THAT'S ALL THE QUESTIONS I HAVE FOR RIGHT NOW.

THE ONLY THING I WOULD ASK GOING FORWARD AND ANYONE IN THE AUDIENCE, WHEN MY RESIDENTS AND MY CONSTITUENTS TESTIFY, YOU NEED TO BEHAVE YOURSELF, YOU NEED TO BE A GENTLEMAN AND YOU HAVE TO CHANGE YOUR TONE. YOU HAVE TO BE MORE RESPECTFUL TO PEOPLE.

>> I HAVE NOT HISSED AT ANYONE THIS ENTIRE TIME.

>> THANK YOU.

WE'VE ALSO BEEN JOINED BY DISTRICT 1 CITY COUNCILOR LYDIA EDWARDS.

WELCOME, COUNCILOR ESSAIBI-GEORGE, AS WELL.

>> THANK YOU, MR. CHAIRMAN.

LIZ THANK YOU FOR THE PRESENTATION AND FOR THE WORK YOU AND THE FRIENDS DO YEAR ROUND FOR THE PARKS.

IT'S CERTAINLY A PARTNERSHIP WITH THE CITY AND I'M EXCITED TO WORK WITH COMMISSIONER COOK AND HIS DEPARTMENT AND OTHERS IN YOUR AGENCY TO IMPLEMENT THAT NEW CAPITAL PLAN AND MASTER PLAN FOR THE COMMONS.

IT TRULY IS A TREASURE FOR THE CITY AND THE COUNTRY.

AND I WOULD LIKE TO SAY TO JOHN THAT COMING IN HERE, GUNS BLAZING, CASTING INSULTS IS NOT CONSTRUCTIVE WHEN AFTER ALL OF THAT YOU AGREED AN OFFER TO REDUCE THE FESTIVAL OVER ONE DAY, WHICH IS SOMETHING THE KIND OF DISCUSSION WE'RE TRYING TO HAVE IN THIS ROOM, NOT LOBBING INSULTS, NOT FLAILING ABOUT AND YELLING ABOUT THINGS.

THIS IS PROGRESS ALREADY THAT WE HAVE MADE IN THIS HEARING WHICH WAS MY INTENT AND I BELIEVE COUNCILOR FLYNN'S INTENT BY BRINGING IT.

SO I APPRECIATE THAT YOUR

CLIENTS ARE WILLING TO TALK ABOUT THAT.

AND WE NEED TO HAVE THAT DISCUSSION WITH THE PARKS DEPARTMENT, WITH THOSE CITY AGENCIES AND IF IT NEEDS TO HAPPEN MORE IN ADVANCE THAT'S GOOD.

THIS IS CONSTRUCTIVE INFORMATION THAT WE'RE GETTING INSTEAD OF WHAT HAPPENED IN YOUR OPENING STATEMENT.

SO MAYBE NEXT TIME TAKE A DIFFERENT APPROACH.

YOU'RE OBVIOUSLY SUCCESSFUL LITIGATING IN COURT.

THIS IS NOT A COURT OF LAW. WE'RE TRYING TO COME TO AN AGREEMENT HERE.

WE'RE TRYING TO FIGURE OUT A WAY AS I SAID, WHEN I INTRODUCED THIS HEARING AS WE'VE SAID EVERY STEP OF THE WAY TO RESPECT FIRST AMENDMENT RIGHTS WHILE ALSO RESPECTING THE USE OF OUR PARKS, OF OUR COMMONS, OF FOLLOWING THESE RULES SO I HAVE JUST A COUPLE OF QUESTIONS AND HOPEFULLY, WE CAN KEEP IT CIVIL THIS ROUND.

IF YOU INSIST ON MAKING PERSONAL ATTACKS AGAIN, IT'S NOT GOING TO GO THAT WAY.

NUMBER ONE, MY QUESTION IS IS THERE AN OBJECTION TO USING CITY HALL PLAZA.

>> YES.

OKAY.

IS THAT RELATED TO -- IS IT BECAUSE OF BOSTON COMMONS?

>> BOSTON COMMON -- AND FRANKLY, I'M SORRY -- AND PART OF -- AND I'LL BE CONCILIATORY HERE, IN MY PRESENTATION, I'M SORRY THAT ACTUALLY SOME -- AND MAYBE EVEN A LOT OF WHAT THE PEOPLE THAT COME IN SUPPORT OF MASS CAN AND IN SUPPORT OF FREE LEGAL MARIJUANA COME TO THE BOSTON COMMON FOR IS IN YOUR FACE, IN YOUR CONSTITUENTS' FACES.

FREE SPEECH ISN'T ALWAYS PRETTY AND I DON'T CONTROL, WITH THEY DON'T CONTROL THE PEOPLE THAT

COME TO THE RALLY.

I HAVE HISTORICALLY, WHEN YOUR KIDS, OTHER PEOPLE'S KIDS HAVE BEEN ARRESTED AND THERE WERE OVER 100 ARRESTS ONE YEAR.

WHEN KIDS ARE ARRESTED, THE HEAD OF MASS CAN AND I AT THE END OF EVERY RALLY WOULD GO TO EVERY POLICE PRECINCT IN BOSTON AND MAKE SURE THERE WASN'T SOME KID WHO DIDN'T HAVE \$25, AND THEN LATER \$40 TO GET OUT AND WAS SPENDING THE NIGHT IN JAIL. COULDN'T TELL THEIR PARENTS. WE DID THAT.

WE TAKE PRIDE IN WHAT WE DO, BUT WE DON'T OWN THE PEOPLE THAT COME AND, IN FACT, CIVIL DISOBEDIENCE IS A WELL-HALLOWED TRADITION AS WELL IN THIS COUNTRY AND ON BOSTON COMMONS.

>> ABSOLUTELY.

AND YOU WON'T BE ABLE TO FIND ANYBODY ON MASS CAN SAYING THEY'RE GOING TO TRY TO STOP THAT BECAUSE THEY'RE NOT.

AND THE REALITY IS THAT EVEN IF THERE ARE LAWS AND REGULATIONS THAT EVERYONE WANTS TO HAVE IN PLACE TO STOP PUBLIC SMOKING OF MARIJUANA, THE REALITY IS IF THE PEOPLE -- IF PEOPLE WANT TO BE CIVILLY DISOBEDIENT, THEY WILL BE AND MASS CAN IS NOT RESPONSIBLE FOR THAT HAPPENING, FRANKLY.

I'M AS A CIVIL LIBERTARIAN I BELIEVE IN CIVIL DISOBEDIENCE.

I THINK IT'S AN AMERICAN TRADITION AND FRANKLY, I'M NOT GOING TO DISCOURAGE THAT.

NOW, WHEN THE CITY OF BOSTON POLICE DEPARTMENT SAID THAT MASS CAN COULDN'T ADVOCATE SMOKING MARIJUANA OR POSSESSING MARIJUANA AND, IN FACT, THAT WAS ONE OF THE LAWSUITS THAT WE HAD TO FILE BECAUSE THAT WAS THE REASON WHY THE CITY DENIED A PERMIT ONE YEAR WAS BECAUSE THEY SAID IN COURT THAT MASS CAN WAS INCITING IMMINENT LAWLESS ACTIVITY.

I GOT UP ON STAGE THAT YEAR AND

SAID EVERY MANNER OF SMOKE MAYOR
MENINO, GET HIGH CITY OF BOSTON,
I DID ALL OF THOSE THINGS AND
THEN OFFERED MYSELF UP TO ARREST
IN THE CORNER TO MAKE SURE THAT
THE PEOPLE THAT DID TAKE THE
STAGE AFTER ME WERE NOT AFRAID
TO SPEAK THE TRUTH, SPEAK TRUTH
TO POWER, UNDER FEAR OF BEING
ARRESTED.

>> SO THAT'S --

YOU WON'T FIND US AGREEING,
EVER, TO TRY TO CONTROL WHAT
PEOPLE DO IN TERMS OF SMOKING ON
THE COMMONS.

THAT'S GOING TO HAPPEN AND
THAT'S NOT MASS CAN'S FAULT.

>> SO I UNDERSTAND THAT.

SO THE ANSWER, THOUGH, IS THAT
IT'S THE -- THE PRINCIPLE OF
BEING ON BOSTON COMMON.

THAT IS GOOD TO KNOW.

MOVING FORWARD, AND AGAIN, I'LL
MENTION THIS AGAIN, I APPRECIATE
THE WILLINGNESS TO TALK ABOUT
THE DURATION OF THIS.

I THINK RESPECTING THE FACT AND
TO CLARIFY EARLIER, I DON'T
THINK ANY OF MY COLLEAGUES
INTEND TO SAY THERE ARE NOT
PEOPLE WHO STILL OPPOSE
LEGALIZATION OF MARIJUANA.

I THINK THAT MUCH IS CLEAR, BUT
WHAT IS THE POLICY NOW, THE LAW
IN THE COMMONWEALTH IS WE ARE
MOVING, ALBEIT VERY SLOWLY, TO A
REGULATED ADULT USE CANNABIS
INDUSTRY HERE AND SO CLEARLY THE
ENVIRONMENT HAS CHANGED, THE
POLITICAL, THE LEGAL
ENVIRONMENT, AND THAT DOESN'T
CHANGE THE FACT THAT PEOPLE HAVE
A FIRST AMENDMENT RIGHT TO
PROTEST, TO MARCH, TO RALLY.
THIS BODY HAS BEEN OUT THERE.

I KNOW COUNCILOR FLYNN, MYSELF,
AND I THINK PROBABLY ALL OF OUR
COLLEAGUES HAVE STOOD WITH THE
HOTEL AND RESTAURANT WORKERS OF
UNITED LOCAL 26 AS THEY ARE
MARCHING, AS WE DO GET
COMPLAINTS FROM OUR CONSTITUENTS
ABOUT NOISE, ABOUT DISTURBANCES
FOR THE LAST SIX WEEKS NOW.

SOMETHING LIKE THAT.
SIX OR SEVEN WEEKS.
THAT'S AN IMPORTANT THING HERE.
WHAT WE HAVE BEEN TRYING TO GET
IS FINDING AN ACCOMMODATION HERE
FOR FOLKS TO EXERCISE THOSE
FIRST AMENDMENT RIGHTS, WHILE
ALSO DEALING WITH A LOT OF THE
FOLKS WHO ARE HERE AND A LOT OF
PEOPLE WHO AREN'T HERE, WHETHER
IT'S NOISE, WHETHER IT'S THE
TRASH CLEANUP AND IT SOUNDS LIKE
THERE'S A WILLINGNESS TO DISCUSS
MORE MITIGATION AROUND TRASH.
THESE ARE IMPORTANT THINGS.
THIS IS THE GOAL OF THIS AND
I'LL JUST REITERATE THAT.
THIS IS THE TONE WE NEED TO BE
TAKING IN HERE AND I APPRECIATE
THAT.
RIGHT NOW, I THINK THAT'S ALL I
HAVE.
WE HAVE A LOT OF FOLKS WHO WANT
TO SPEAK AFTER THIS AND MY
COLLEAGUES PROBABLY HAVE SOME
THINGS TO SAY.
THANK YOU, MR. CHAIRMAN.
>> COUNCILMAN McCARTHY.
THANK YOU.
THANKS FOR BEING HERE AND ALL
THE THINGS YOU DO.
WE GOT TO MEET EACH OTHER DURING
THE WHOLE WINTER SQUARE THING
AND WE ENDED UP ON THE WRONG
SIDE OF THAT TEAM, BUT I KNOW
THAT AS THAT GOES FORWARD YOU'RE
GOING TO BE WORKING HAND IN HAND
WITH CHRIS AND EVERYBODY IN THE
PARKS DEPARTMENT TO MAKE SURE
THAT MONEY IS SPENT WELL AND I
APPRECIATE THAT.
YOUR INTEGRITY IS NOT
QUESTIONED.
MY QUESTION TO YOU JOHN.
YOU SAID A COUPLE OF TIMES CAN
YOU MEANINGFULLY RESPOND TO
BLAH, BLAH, BLAH.
WHAT IS MASS CAN'S MISSION?
>> TO PROMOTE THE LEGALIZATION
OF MARIJUANA.
THAT'S TO THE BEST OF MY ABILITY
TO UNDERSTAND THAT.
>> SO IT'S LEGAL.
SO NOW --

>> IT'S NOT LEGAL YET.
IT'S LEGAL IN SOME RESPECTS.
THERE ARE REGULATORY --
>> SO NOW WHAT'S THE MISSION?
TO PROMOTE THE
LEGALIZATION --
>> I VOTED NO, FOR THE RECORD,
I'M THAT GUY.
BUT I'M ALSO WORKING WITH FIVE
OR SIX MARIJUANA COMPANIES RIGHT
NOW THAT WANT TO COME INTO
DISTRICT 5.
WHEN YOU FIGHT FOR SOMETHING,
YOU FIGHT, YOU LOSE, YOU WIN YOU
MOVE ON, RIGHT?
I'VE MOVED ON.
I WENT TO COLORADO, I DID MY DUE
DILIGENCE, I VISITED THE STORES,
I VISITED THE GROWERS, I MET THE
POLICE, HOSPITALS, THE TEACHERS,
EVERYBODY IN A FOUR-DAY
WHIRLWIND TOUR OF DENVER AND I
CAME OUT WITH SOME DIFFERENT
THOUGHTS.
AND I THINK I CAN POSITIVELY USE
THOSE TO POSITIVELY AFFECT
WHOEVER COMES INTO MY
NEIGHBORHOOD WITH CANNABIS.
HAVING STATED ALL OF THAT, I
STILL DON'T GET THE HEART OF A
RALLY, A RALLY, THE MISSION OF
ANY RALLY IS TO GET SOME TYPE OF
SUCCESS, SOME TYPE OF ACTION.
THAT ACTION HAS ALREADY BEEN
TAKEN CARE OF.
ALSO, YOU CAN KEEP SHAKING YOUR
HEAD, BUT IT'S FLIPPIN' LEGAL IN
MASSACHUSETTS, RIGHT?
SO HAVING SAID THAT, I DON'T
UNDERSTAND WHY IF WE'RE GOING TO
TALK ABOUT LEGALITY OF MARIJUANA
OR NOT LEGALITY OF MARIJUANA,
WHY MASS CAN AND ANYBODY ELSE
FEELS THAT THEY CAN SMOKE POT,
EVEN THOUGH IT'S ILLEGAL TO
SMOKE ANYTHING ON THE COMMONS.
AND I WOULD CERTAINLY TELL YOU
THIS THAT IF THE TOBACCO
INDUSTRY CAME IN AND KNOCKED ON
CHRIS COOK'S DOOR AND SAID HEY,
CHIEF, WE'RE GOING TO PROTEST
THE FACT THAT WE CAN'T SPOKE IN
RESTAURANTS AND PARKS ANYMORE.
WE'RE GOING TO HAVE A CIGARETTE

FEST ON THE COMMONS.
I WOULD FIND IT HARD TO BELIEVE
THAT MOST PEOPLE WOULD BE LIKE
THAT'S A GREAT IDEA.
I DON'T THINK THAT WOULD HAPPEN.
SO I DON'T UNDERSTAND THE
MISSION.
YOU'VE ACCOMPLISHED YOUR
MISSION.
MISSION ACCOMPLISHED.
NOW, JUST GO AWAY, IT'S OVER.
>> I CAN'T HELP THE TOBACCO
INDUSTRY.
I'M NOT TRYING TO HELP THE
TOBACCO INDUSTRY.
>> IT WAS ANECDOTAL.
LET ME GIVE YOU ANOTHER
ANECDOTE.
HAVE WOMEN ACHIEVED ALL THE
RIGHTS EQUAL TO MEN IN TERMS OF
VOTING AND VOTING RIGHTS AND
ABILITY TO BE REPRESENTED IN
THIS DEMOCRACY?
I WOULD PROBABLY SAY NO.
>> REALLY?
YEAH, I WOULD.
I JUST SAW MY COLLEAGUE JUST
GO RIGHT UP THE LADDER.
SHE'S IN THE CAPITOL RIGHT NOW.
>> AND HOW LONG DID THAT TAKE?
GOOD THINGS TAKE TIME.
NO KIDDING AND GOOD THINGS
TAKE TIME IN TERMS OF --
[OVERLAPPING SPEAKERS]
>> I SEE HISTORICALLY, YOU'RE
SAYING NOW OH, WE'VE ACHIEVED
EVERYTHING WE NEED.
WOMEN ACHIEVED EVERYTHING --
>> THAT'S A STUPID STATEMENT.
YOUR PROPOSITION -- I DON'T
WANT TO SAY YOUR PROPOSITION --
[OVERLAPPING SPEAKERS]
[GAVEL]
>> OBVIOUSLY, WE HAVEN'T
ACCOMPLISHED EVERYTHING, RIGHT?
SO DON'T GO INTO THIS GIANT
HYPOTHETICAL.
I'M SAYING THAT WHAT YOU'VE DONE
IS YOU'VE SUCCEEDED.
MASS CAN AND NUMBER TWO HAVE
PASSED, RIGHT?
THEY'VE PASSED, THAT'S FACT.
WHETHER OR NOT IT'S COMPLETELY
OPEN AND PASSED TO YOUR CAPACITY

OR HOWEVER BIG YOU WANT IT,
REGARDLESS, RIGHT?
YOU'VE SUCCEEDED.
BUT AS YOU'VE SUCCEEDED, THEY'RE
DOING ILLEGAL, EXPLICITLY
ILLEGAL THINGS ON THE COMMON.
THEY'RE GOING AGAINST THEIR
PERMIT AND IN EVERY OTHER PERMIT
THROUGHOUT THE CITY, WHETHER
IT'S A STREET CLOSING FOR A
BLOCK PARTY OR WHATEVER, THERE'S
RULES AND VIOLATIONS AND WHEN
THEY'RE VIOLATED, THE PERMITS
ARE PULLED.

WHY DO YOU THINK THAT YOU'RE
ABOVE THAT?

>> I AM NOT.

AND MASS CAN IS NOT.

>> THEY ARE.

NO MASS CAN IS NOT THE ONES
THAT ARE DOING THE SMOKING ON
THE COMMONS.

THAT IS THE REST OF THE PEOPLE
THAT COME AND ATTEND.

IN FACT, FRANKLY, THE BEGINNING
OF EVERY RALLY, TO MAKE SURE
PEOPLE ARE --

>> YOU PICK UP THINGS, YOU'VE
GOT A FLOCK GOING, YOU'RE A
LAWYER.

YOU'RE THE GREATEST -- I MEAN,
YOU'RE THE BEST.

>> THANK YOU.

I SHOULD JUST SIMMER DOWN
BECAUSE YOU CLEARLY HAVE IT ALL
TAKEN CARE OF.

[GAVEL]

IT'S UNBELIEVABLE.

IT'S UNBELIEVABLE THAT YOU THINK
THAT MASS CAN IS NOT RESPONSIBLE
FOR THE PEOPLE WHO ARE SMOKING
POT OUT THERE.

>> WOULD YOU ASK ME IF I THINK
THERE'S A CAUSAL LINK OR
CORRELATION BETWEEN WHAT MASS
CAN SAYS ON STAGE AND WHAT
PEOPLE DO?

>> I'M NOT GOING TO ASK YOU THAT
QUESTION.

YOU HAVE A SMARMY ANSWER.

>> THANK YOU COUNCILOR
McCARTHY.

COUNCILOR EDWARDS.

>> GOOD AFTERNOON.

I CAME IN THE MIDDLE OF A
CONSCIENTIOUS CONVERSATION AND I
DON'T INTEND TO ADD TO THAT
TONE.

UNLIKE MY COLLEAGUE I VOTED TO
LEGALIZE IT.

I VOTED TO LEGALIZE IT BECAUSE I
FELT THAT THERE WERE -- OUR
CRIMINAL JUSTICE SYSTEM HAD
TARGETED BLACK AND BROWN FOLKS
THROUGH THE WAR ON DRUGS AND AS
A RESULT, I FELT THAT IT MADE NO
SENSE FOR US TO CONTINUE THAT
SYSTEM TO WHAT WAS AN ARBITRARY
REGULATION OF MARIJUANA WHEN
COMPARED TO OTHER DRUGS AND
OTHER ENTITIES, YOU KNOW,
TOBACCO, ALCOHOL, I WOULD SAY
ALCOHOL HAS THE HIGHEST BODY
COUNT OF ANY USE.

I REPRESENT THE NORTH END,
CHARLESTOWN AND EAST BOSTON AND
IN THAT IS THE GREENWAY, FOR
EXAMPLE, AND I'M BRINGING UP
THIS EXAMPLE.

I REPRESENT A LOT OF PARKS.
AND THE USES OF THOSE PARKS IS A
SOCIAL JUSTICE ISSUE FOR ME,
HAVING ACCESS TO THEM.

I HAVE ONE OF THE HIGHEST INCOME
INEQUALITIES IN MY DISTRICT.
IT'S THE LARGEST HOUSING PROJECT
IN BUNKER HILL, DEEPLY
AFFORDABLE UNITS, ACROSS THE
STREET FROM MILLION DOLLAR
HOMES.

WE'RE FIGHTING FOR OPEN SPACE
THAT IS ACCESSIBLE BY ALL,
REGARDLESS OF THEIR CLASS.
SO THE CITY OF BOSTON AND I
HAVEN'T BEEN A CITY COUNCILOR
VERY LONG.

I WAS A COMMUNITY ORGANIZER
BEFORE THAT, A LEGAL SERVICES
ATTORNEY BEFORE THAT.
THE CITY OF BOSTON, IT'S A NEW
JOB AS A CITY COUNCILOR, I'M
BALANCING MANY INTERESTS, IT'S
OUR JOB.

AND SO I THINK TO BE CONSCIOUS
OF THAT BALANCE THAT WE'RE
TRYING TO STRIKE AND COME UP
WITH A SOLUTION IS THE GOAL OF
THIS HEARING.

I DON'T DOUBT THAT FOR MANY FOLKS WHO VOTED TO LEGALIZE THIS, TO FINALLY HAVE THE FREEDOM TO WALK INTO A STORE, TO SMOKE WHAT THEY WANT TO SMOKE ON THEIR OWN FREE TIME, THE WAY THE REGULATORY PROCESS IS GOING, IN NO WAY, SHAPE OR FORM DO THEY FEEL THAT IT IS LEGAL OR THAT THEY'RE BEING TREATED AS ADULTS. I WOULD ARGUE -- I WOULD AGREE THAT THE REGULATORY BUREAUCRACY NEEDS SOME MASSIVE IMPROVEMENTS. WHAT WE ARE FINDING IS THOSE WHO ARE ABLE TO GET THE LICENSES AND START THE PROCESS ARE USUALLY CORPORATE ENTITIES, IRONICALLY MANY OF THEM HAVING A LOT MORE MONEY THAN THE BLACK AND BROWN YOUNG MEN WHO ARE SERVING OR HAVE SERVED JAIL SENTENCES FOR USING THE SAME THING. I SAY THAT, DESPITE MY VIEWPOINT, MY PERSPECTIVE, THE BALANCE AND MY UNDERSTANDING COME FROM LEGAL SERVICES, I STILL EVEN STRUGGLE WITH THAT, LEGALIZATION AND WHETHER IT'S GOING TO HAPPEN IN MY DISTRICT AND I PUT THAT OUT THERE AND MY OWN VULNERABILITY OR MY OWN BACK-AND-FORTH ABOUT IT SO THAT I THINK I -- I THINK I REPRESENT A LOT OF PEOPLE WHO ARE IN THAT GRAY AREA AND SO WHEN I CAME INTO THIS CONVERSATION TO THE TONE THAT I WAS HEARING, IT MADE ME LESS INCLINED TO LISTEN. IT MADE ME LESS INCLINED TO LISTEN TO MY GUT AND MY SOCIAL JUSTICE AND MY UNDERSTANDING OF WHY I VOTED FOR IT BECAUSE IT SEEMED SO CONTENTIOUS ABOUT THINGS THAT WE TALK ABOUT ALL THE TIME, WHETHER THE PERMIT WAS APPLIED FOR, WHETHER THE PERSON WHO GOT IT ACTUALLY COMPLIED WITH THE STANDARDS IN THE PERMIT AND IF THEY DIDN'T, HOW THEY WILL COMPLY IN THE FUTURE. AND I THINK THAT THAT IS THE CONVERSATION, IT'S VERY BASIC, IT'S WHAT WE DO ALL THE TIME, WITH THE PARKS THAT WE HAVE,

FOLKS ALL THE TIME WANT TO DO
EVENTS ON PARKS.
WE HAVE ONE OF THE LARGEST
PARKS, MITIGATION FOR THE
AIRPORT.
THESE ARE CONVERSATIONS THAT ARE
ACTUALLY PRETTY NORMAL.
IT JUST HAPPENS TO INVOLVE
MARIJUANA.
AND I DO THINK IT'S A MATTER OF
TIME, WHETHER ONE DAY, GETTING A
CHECK FROM M. CAN WILL NOT BE
SEEN AS A PARIAN FOR THE BOYS
AND GIRLS CLUB.
WE'RE NOT THERE YET.
THIS IS WHAT I THINK WE SHOULD
BE TALKING ABOUT AND I HOPE THAT
THE CONVERSATION WILL BE DRILLED
DOWN TO IT.
WHAT ARE THE STANDARDS OF A
PERMIT FOR AN EVENT?
BOSTON COMMONS.
WERE THOSE STANDARDS MET BY THE
EVENT THAT M. CAN, I'M ASSUMING
THE YOU'RE PERMITTEE.
>> I'M THE LAWYER.
DID THE ORGANIZATION APPLY
FOR THE PERMIT?
>> YES.
WHEN M. CAN APPLIED FOR THOSE
STANDARDS AND SAID THAT THEY
WOULD MEET THOSE STANDARDS, THE
QUESTION FOR THIS HEARING IS DID
YOU?
I WOULD NOT LET M. CAN AS AN
ORGANIZATION NOR WOULD I LET THE
BOYS AND GIRLS CLUB SAY I HOPE
AN EVENT -- IT'S NOT MY FAULT
WHEN MY INVITEES DID AT MY
EVENT.
I WOULDN'T.
BOYS AND GIRLS CLUB,
ST. ANTHONY'S CHURCH, WHOEVER
APPLIES TO MEET CERTAIN
STANDARDS APPLIES TO MEET THOSE
STANDARDS FOR THEIR EVENT THAT
YOU HAVE, WHERE YOU INVITE FOLKS
TO COME.
I'M NOT -- THAT'S IT.
THAT'S HOW PERMITS WORK.
PROBABLY VERY TRUE, IT WILL BE
VERY HARD TO MEET THOSE
STANDARDS WHEN THE ADVOCACY OF
THE ORGANIZATION IS ABOUT THE

LEGALIZATION AND USE, ALL TYPES
OF USE, SMOKING, EATING,
WHATEVER, OF MARIJUANA TO SAY,
THEREFORE STOP ALL SMOKING
DURING YOUR EVENT.
BUT THAT'S A BURDEN AND HEADACHE
THAT YOUR ORGANIZATION HAS.
I'M NOT FINISHED.
AND NOR AM I REALLY POSING A
QUESTION.
I THINK I'M TESTIFYING.
SO TO MY THOUGHTS.
THE SAME BURDENS THAT OTHER
ORGANIZATIONS HAVE AS WELL, IF
THE BOYS AND GIRLS CLUB APPLIES
FOR A PERMIT AND THE RULES ARE
THERE'S NO SMOKING AND DRINKING
IN THAT USE OF THEIR PERMIT,
THEN THAT'S THE BURDEN THAT THEY
HAVE FOR THEIR EVENT.
IT'S JUST THE BURDENS THAT ARE
SHARED.
AND BY THE WAY, WE HAVE MANAGED
TO COME UP WITH WAYS TO ALLOW
FOR PEOPLE TO DRINK AND MAKE
MONEY SELLING ALCOHOL ON OUR
PUBLIC PARKS SO IT'S NOT BEYOND
OUR CREATIVITY TO FIGURE THIS
OUT.
WE HAVE BEER GARDENS ON THE
BOSTON GREENWAY.
SO WE'VE GONE THERE AND HAD THIS
CONVERSATION, AND I THINK WE CAN
BE CREATIVE AND HAVE THAT
CONVERSATION AGAIN.
IF IT'S NOT REALISTIC FOR AN
EVENT TO HAPPEN ABOUT MARIJUANA
AND I'M NOT SAYING THAT, BUT IF
IT'S NOT A REALISTIC GOAL TO
THEN SAY NO SMOKING CAN HAPPEN,
THEN JUST LIKE WE HAVE A BEER
GARDEN WHERE WE HAVE RULES WHERE
THERE'S NO DRINKING ON THE
PARKS, BUT WE'VE PROVIDED A WAY
IN PERMIT FOR THEM TO HOST A
BEER GARDEN, IT'S FENCED OFF,
THEY HAVE A WAY TO MONITOR WHO
GETS THE ALCOHOL, WHERE THEY CAN
DRINK IT.
THEY DO ALL OF THOSE THINGS
RIGHT NOW.
CITY OF BOSTON, WITH ALL ITS
BUREAUCRACY, MANAGED TO FIGURE
THAT OUT.

SO I THINK THIS CONVERSATION
COULD BE HOW WE AS THE CITY OF
BOSTON AND THE COMMUNITY AND ALL
USERS CAN FIGURE THIS OUT.

IS THERE A SAFE LOCATION WHERE A
PERSON APPLYING FOR A PERMIT
WOULD LIKE TO FIGURE OUT HOW TO
ACCESS SMOKE OR USE MARIJUANA
WITHIN A CONFINED SPACE OR AREA,
CHECKING AND ASSURING THAT
CHILDREN DON'T HAVE ACCESS TO
IT.

THE SAME WAY THE BEER GARDEN
FIGURED IT OUT.

I DON'T FEEL LIKE I'M SAYING
ANYTHING THAT'S CONTENTIOUS.

I DON'T FEEL LIKE I'M SAYING
ANYTHING THAT'S CONTROVERSIAL.

I THINK I'M JUST TREATING THIS
CONVERSATION AS A RATIONAL
ADULT.

>> I AGREE THAT YOU ARE.

AND SO DON'T HELP ME.

AND SO I THINK I WOULD LIKE THAT
CONVERSATION TO CONTINUE IN THAT
VEIN OF WHAT CAN WE DO?

NOT WHAT WE'RE OPPOSED TO.

AND ACKNOWLEDGE AGAIN, I DON'T
SIT HERE WITH A BLACK-AND-WHITE
VIEW OF MARIJUANA.

I DON'T.

I DON'T USE IT.

I DON'T CARE IF YOU USE IT,
THOUGH.

I KIND OF DON'T WANT IT RIGHT
BEHIND MY HOUSE, BUT THERE'S
SOMEONE APPLYING TO HAVE A
DISPENSARY BEHIND MY HOUSE.

I'M BEING TOTALLY HONEST AND
EXPECTING THE JUDGMENT THAT
COMES FROM IT SO LET IT COME.

THAT'S THE STRUGGLE THAT MOST OF
US ARE HAVING AND IT DOES NOT
HAPPEN TO NOT BE ADULT ABOUT IT
AND TO NOT ACKNOWLEDGE THAT WE
HAVE PROCESSES SET UP, STANDARDS
TO MEET, REGARDLESS OF WHO YOU
ARE, AND THEY SHOULD BE MET AND
IF THEY'RE NOT, THERE ARE
REPERCUSSIONS ABOUT HOW TO MEET
THEM.

SO NEUTRALLY, PERMIT WAS APPLIED
FOR.

ORGANIZATION GOT IT LAST MINUTE.

WE DON'T ALLOW SMOKING IN THE
PARKS.

SMOKING DID HAPPEN.

THERE WERE IMPLICATIONS OR
PEOPLE WHO WERE IMPACTED BY THE
VIOLATION OF THE PERMIT AND THEN
THE TRASH AND WHATEVER ISSUES.
SO WE'RE HERE.

GOING FORWARD, HOW DO WE DESIGN
A PERMIT THAT WORKS THAT ALLOWS
FOR SOME LIMITED USE?

OR HOW WILL YOU RISE TO THE
OCCASION OF THE NEXT PERMIT YOU
APPLY FOR AND FOLLOW THE RULES?

>> CAN I SAY ONE THING ABOUT
THAT?

>> ONE SECOND.

AND THIS IS NOT DIRECTED AT YOU.
THIS IS DIRECTED TO THOSE FOLKS
WHO I THINK ARE LISTENING
HOPEFULLY AND THOSE FOLKS WHO I
HOPE ARE LISTENING, AS WELL.
SOME BEHIND ME I'M SURE.

THE POINT IS THIS CONVERSATION
IS ABOUT HOW WE GET SOMEPLACE
TOGETHER AND SHOULD BE BASED ON
STANDARDS THAT ARE SET IN A
PERMIT.

AND THE ORGANIZATION THAT
APPLIED FOR THE PERMIT NEEDS TO
MEET THE STANDARDS.

THAT'S IT.

I'M DONE.

>> COULD I SAY SOMETHING IN
RESPONSE?

>> THANK YOU COUNCILOR EDWARDS.
IF THERE'S NO QUESTION -- IF YOU
WOULD LIKE THE GENTLEMAN TO
RESPOND.

>> NO QUESTION.

THEN, THANK YOU.

COULD I SAY SOMETHING,
THOUGH?

>> WE'RE GOING TO FOLLOW THE
QUESTIONS, YOU'LL HAVE AN
OPPORTUNITY FOR A BRIEF CLOSING
STATEMENT.

COUNCILOR ESSAIBI-GEORGE.

>> THANK YOU TO THE COSPONSORS
WHO PUT TOGETHER.

OBVIOUSLY, WITH YOU OUR
LEADERSHIP.

I'M CURIOUS ABOUT AND THESE
QUESTIONS I APOLOGIZE FOR BEING

LATE.

THOSE QUESTIONS MAY HAVE BEEN ANSWERED PRIOR TO MY ARRIVAL, BUT SO MUCH HAS HAPPENED SINCE I'VE WALKED IN THE ROOM.

HOW MANY VENDORS PARTICIPATE IN THE WEEKEND?

>> I DON'T KNOW.

HOW DO THE VENDORS APPEAR ON THE COMMONS?

>> THERE IS A LONG-ESTABLISHED PLAN SET OUT IN ADVANCE WHERE THE CITY OF BOSTON HAS A MEETING WITH US, WITH MASS CAN, THERE'S A VENDOR LAYOUT PLAN ORGANIZED WITH THE BOSTON POLICE DEPARTMENT, AND THEN THERE'S A WALKABOUT WHERE WE WALK THE COMMONS IN ADVANCE OF EVERY RALLY AND TALK ABOUT WHERE ALL OF THE VENDORS ARE GOING TO BE POSITIONED.

THE VENDOR PLAN AND THE PLACEMENT OF THE VENDORS HAS ALWAYS BEEN APPROVED IN ADVANCE. IT'S NEVER BEEN DEALT WITH AD HOC ON THE DAY OF, EXCEPT WHEN THE CITY POLICE PUT A BARRICADE AROUND AND PUT HALF OF THE VENDORS OUTSIDE OF THE BARRICADE WHEN THEY PUT IT AROUND. THAT YEAR, THERE WAS A LOT OF AD HOC MOVEMENT.

>> SO THAT DIDN'T HAPPEN THIS PAST YEAR?

>> NO, THAT DID NOT HAPPEN. THIS PAST YEAR, HOW MANY VENDOR BOOTHS WERE SET UP?

>> I'M SORRY, I'M THE LAWYER. I'M NOT THE -- I'M NOT THE EVENT ORGANIZER, NOR DO I HAVE THE PLANS --

>> YOU DON'T HAVE ACCESS? THERE ARE PEOPLE HERE WHO COULD ANSWER THOSE QUESTIONS. THEY'RE HERE.

>> IS THERE A CHARGE FOR THE APPLICATION TO BE A VENDOR AS A PART OF THIS DAY?

>> THE VENDORS -- AND I I DON'T -- MY UNDERSTANDING IS THEY PAY SOME SORT OF A FEE FOR THE BOOTHS.

>> AND WHAT'S THE GENERAL FEE

STRUCTURE?

LOOSELY?

IS IT \$25?

I'VE DONE CRAFT FAIRS, IS IT
\$100, \$500?

IS IT \$1,000 FOR A BOOTH?

>> I HAVE NO IDEA.

NONE WHATSOEVER?

DO YOU AS A PART OF THE 503
STATUS, DO YOU HAVE TO FILE ANY
OF THEIR END OF YEAR FINANCIAL
STATEMENTS?

>> I AM NOT A MEMBER OF MASS
CAN.

I AM THEIR ACLU APPOINTED
LAWYER.

>> NO, I UNDERSTAND THAT, I
UNDERSTAND THAT, BUT DO YOU FILE
ANY OF THEIR END OF YEAR
REPORTS?

>> NO, I DEAL WITH THEIR FREEDOM
OF SPEECH ISSUES.

I DON'T DEAL WITH THEIR
501(C)(3) STATUS.

I DON'T HAVE ANYTHING TO DO WITH
THAT.

>> DO YOU KNOW HOW MANY
INDIVIDUALS MAY BE REPRESENTING
VENDORS THAT ARE AT THE RALLY?
SO YOU MAY BE REPRESENTING THEIR
INTERESTS, AS WELL, AS AN
EXTENSION OF MASS CAN ON WHETHER
OR NOT THEY'RE ABLE TO SELL A
CERTAIN PRODUCT?

>> NO.

NO, I DON'T HAVE ANYTHING TO DO
WITH VENDORS OF ANY KIND?

>> NO RELATIONSHIP WITH THE
VENDOR PROCESS OR WHAT'S FOR
SALE?

>> NO, I DO KNOW THAT THEY'RE
NOT ALLOWED TO SELL ANYTHING
ILLEGAL.

>> AND SO WHAT ARE THEY ALLOWED
TO SELL?

>> I DON'T KNOW, BUT NOT
MARIJUANA.

>> AND WHAT ELSE ARE THEY
ALLOWED NOT TO SELL?

>> THE THINGS THAT ARE ILLEGAL.
SO WHAT ARE THEY ALLOWED TO
SELL?

COCA-COLA?

POTATO CHIPS?

>> WHEN I BRING MY CHILDREN TO THE RALLIES IN THE EARLY DAYS IT WAS BECAUSE THEY HAD THESE FABULOUS DRESSES WITH STARS AND THINGS EXPLODING ON THEM AND MY GIRLS LOVED THEM.

AND SO I TAKE THEM IN, IN STROLLERS AND WE PICK OUT CLOTHES FOR THEM TO WEAR. KID-FRIENDLY EVENT.

>> SO SOME OF THE VENDORS MAY SELL CLOTHING, T-SHIRTS, BRANDED MERCHANDISE, WHETHER IT'S MASS CAN --

>> I'VE ACTUALLY SEEN THE PEOPLE NOW HAWKING CURRY THINGS, THAT YOU CAN PUT LITTLE CURRY CONTAINERS IN AND GET A PARTICULAR DOSAGE OF WHATEVER YOU WANT.

SO THERE'S HIGH TECH PEOPLE NOW. THERE'S PEOPLE THAT ARE GETTING INTO THE BUSINESS OF SELLING MARIJUANA-RELATED PRODUCTS.

>> AND SO WHAT ELSE HAVE YOU SEEN?

DRESSES, KEURIG PRODUCTS.

>> THERE'S THE EDUCATION VILLAGE.

THERE'S A VILLAGE WHERE MASS CAN PUTS ON AN EDUCATIONAL FORUM. THERE ARE PRESENTATIONS.

I'VE BEEN ON SEVERAL OF THE PANELS.

>> AND WHAT ARE THOSE PRESENTATIONS ABOUT?

>> ABOUT THE HISTORY OF LEGALIZATION, ABOUT THE FIGHT FOR LEGALIZATION, ABOUT VARIOUS ASPECTS OF GROWING MARIJUANA AND THERE ARE A BUNCH OF MARIJUANA GROWERS THE LAST ONE THAT I WENT TO WAS A YEAR AND A HALF AGO, THE ONE BEFORE THIS ONE, AND THEY WERE ALL TALKING ABOUT THE DIFFERENT WAYS OF ACHIEVING HIGHER POTENCY IN GROWING AND THINGS LIKE THAT.

>> I WOULD JUST INTERJECT AT THIS MOMENT PLEASE MAKE SURE YOU SPEAK INTO THE MICROPHONE. WE'VE HEARD FROM OUR TECH PEOPLE.

>> THANK YOU.

HAVE THERE BEEN INSTANCES IN THE PAST WHERE VENDORS HAVE SOLD INAPPROPRIATE PRODUCTS?

>> I HAVE NOT SEEN ANY WITH MY OWN EYES.

I HAVE HEARD OF THAT IN THE LAST RALLY AND I HAVE HEARD PEOPLE TELLING THEM TO SHUT IT DOWN.

>> HOW MANY VENDORS WERE SHUT DOWN FOR SELLING INAPPROPRIATE PRODUCTS?

>> WELL, THE VENDORS WERE BLASTING THE MUSIC, THEY WERE SHUT DOWN, TOO.

PEOPLE THAT ARE NOT SUPPOSED TO DO WHAT THEY'RE NOT SUPPOSED TO DO, THERE ARE ORGANIZERS THAT GO AROUND AND TELL THEM NOT TO DO IT.

>> BUT AS YOU ARE A REPRESENTATIVE, AS THEIR LAWYER REPRESENTING THEM REGARDING THEIR FREEDOM OF SPEECH, DO YOU PLAY A ROLE IN ADVISING ON WHAT SHOULD BE OR COULD BE OR CAN'T BE SHUT DOWN?

>> I DON'T PLAY THAT ROLE, BUT I AM QUITE CONFIDENT THAT THE MANAGEMENT OF MASS CAN KNOWS FULL WELL WHAT THE LAW IS WITH RESPECT TO LEGAL AND ILLEGAL PRODUCTS.

>> AND THEN I RECEIVED SOME COMPLAINTS BECAUSE OF MY INTEREST IN THE OPIOID CRISIS AND IMPROPERLY DISPOSED NEEDLES ACROSS OUR CITY, WHICH WE'VE COLLECTED HUNDREDS OF THOUSANDS OF IMPROPERLY DISCARDED SHARPS, THAT THERE WAS A SIGNIFICANT INCREASE IN THE NUMBER OF SHARPS LEFT BEHIND AFTER THIS LAST EVENT.

>> I CAN ONLY SAY I FIND THAT TO BE A LITTLE BIT INCREDULOUS BECAUSE MARIJUANA USERS, SMOKERS AND PEOPLE THAT ARE MASS CAN MEMBERS AREN'T HEROIN USERS AND NEEDLES ARE REALLY NOT A WAY OF INGESTING MARIJUANA AT ALL. IF THERE ARE NEEDLES THERE, AND THERE ARE HEROIN USERS THAT COME TO THE COMMON AND I KNOW THERE ARE BECAUSE I'M A CRIMINAL

DEFENSE LAWYER, I DO COURT APPOINTED WORK IN SUFFOLK SUPERIOR COURT AND I HAVE DONE IT IN THE BOSTON MUNICIPAL COURT.

SO I'M COMPLETELY FAMILIAR WITH ILLEGAL STREET DRUG USE. AND AS A PART OF THAT KNOWLEDGE, I THOUGHT IT WAS PART OF MY JOB TO SEE THAT MARIJUANA WAS NOT CONTINUED TO BE PART OF THAT, BECAUSE IT DOESN'T BELONG IN THE SAME CATEGORY AS THOSE DRUGS. AND THE PEOPLE THAT ARE USING OPIOIDS FRANKLY IF THEY WERE USING MARIJUANA, THEY WOULD PROBABLY USE LESS OPIOIDS AND, IN FACT, THAT'S BEEN PRETTY WELL DOCUMENTED.

>> SO IS THAT PART OF THE EDUCATIONAL -- VENDORS THERE TO TALK ABOUT MARIJUANA AS A FORM OF ACCESSING PAIN RELIEF AS OPPOSED TO OPIOIDS?

>> THERE ARE MANY MEMBERS OF MASS CAN THAT USE MARIJUANA AS AN ALTERNATIVE.

>> DON'T DOUBT IT.

TO PAIN RELIEF WITH STRONGER OR MORE ADDICTIVE DRUGS.

>> AND, YOU KNOW, SO BACK TO THE NEEDLE QUESTION, THOUGH, THAT WAS A SIGNIFICANT CONCERN THAT WE RECEIVED CALLS ABOUT.

I UNDERSTAND THAT IT WASN'T A HEROIN EVENT, BUT COULD THERE HAVE BEEN AN INCREASE IN INTRAVENOUS DRUG USE DURING THIS WEEKEND'S EVENT?

>> I SEE NO REAL SCIENTIFIC BASIS FOR THERE BEING ANY CAUSAL LINK OR CORRELATION BETWEEN THAT.

WHETHER OR NOT MAYBE SOME HEROIN USERS DECIDED THAT IT WAS A GOOD DAY TO COME TO THE COMMONS AND LISTEN TO MUSIC AND SHOOT UP, I DON'T KNOW.

THEY'RE NOT PART OF MASS CAN.

>> YOU CAN'T TELL ME WHO THE VENDORS WERE AND WHAT THE PRODUCTS WERE THAT THE VENDORS WERE SELLING.

SO HOW CAN YOU SAY THAT THERE

WAS NO CAUSAL CONNECTION BETWEEN INCREASED NUMBERS OF NEEDLES FOUND ON THE COMMONS AND THIS EVENT?

>> WELL, I HAVE BEEN TO ALMOST, ALMOST ALL OF THE RALLIES OVER THE YEARS.

>> SO PLEASE TELL ME ABOUT SOME OF THE OTHER VENDORS.

>> THERE'S NO ONE SELLING HEROIN.

THERE'S NO ONE SELLING NEEDLES.

THERE'S NO ONE -- THERE ARE NO -- I HAVE NEVER SEEN HEROIN USE ON THE BOSTON COMMONS DURING A RALLY.

I HAVE SEEN HEROIN USE WALKING THROUGH THE BOSTON COMMONS AT OTHER TIMES.

BUT THAT HAS NOTHING TO DO WITH MASS CAN.

IT HAS NOTHING TO DO WITH THE RALLY.

AND I'VE GOT TO TELL YOU THAT THESE PEOPLE, WHOM I DO REPRESENT IN MANY CAPACITIES IN COURT, REALLY DON'T LIKE BEING TARRIED AND FEATHERED WITH NEEDLES.

IT HAS LITERALLY NOTHING TO DO WITH MARIJUANA LEGALIZATION, MARIJUANA USE.

NOTHING.

>> THANK YOU.

COUNCILOR
ESSAIBI-GEORGE.

I REALLY WANT TO GET TO THE PUBLIC TESTIMONY SO I WILL KEEP MY QUESTIONS REALLY AS BRIEF AS POSSIBLE.

WITH THE CAVEAT THAT THIS IS MORE OF A STATEMENT.

I THINK SKITE A LOT OF THE RAW EMOTION THAT IS IN THE ROOM RIGHT NOW THERE IS A REAL DESIRE TO RECOGNIZE THE FACT THAT THERE HAVE BEEN ISSUES.

A DESIRE TO DECREASE THE NUMBER OF DAYS AS COUNCILOR ZAKIM MENTIONED, THERE'S BEEN NO, BUT I DO HOPE THAT THIS HEARING IF NOTHING ELSE ALLOWS US FOLKS TO LISTEN TO ONE ANOTHER AND TO REALLY TRY TO FIND WAYS THAT WE

CAN ADDRESS THE MYRIAD CONCERNS THAT HAVE BEEN BROUGHT UP AND THAT WE'VE HEARD SINCE THE FREEDOM RALLY THIS PAST SEPTEMBER.

SO THAT'S ALL I HAVE UNLESS MY COLLEAGUES HAVE ANY FURTHER QUESTIONS BEFORE WE GET TO PUBLIC TESTIMONY.

I WOULD ALLOW BOTH OF YOU TO GIVE A BRIEF, PLEASE A ONE-MINUTE CLOSING STATEMENT, JOHN, I TOLD YOU YOU COULD ADDRESS A SERIES OF QUESTIONS EARLIER SO ANY CONCLUDING REMARKS, PLEASE KEEP IT AT ONE MINUTE.

AND PLEASE GET CLOSE TO THE MIKE SO WE CAN HEAR YOU.

>> I DO WANT TO TAKE UP SOME OF THE THINGS THAT COUNCILOR EDWARDS HAD MENTIONED AND I TOTALLY AGREE THAT THIS IS WHERE THE RUBBER STILL NEEDS TO MEET THE ROAD.

WE CAN'T DO WHAT A BEER GARDEN CAN DO IN BOSTON.

THE LAWS DON'T PERMIT IT.

IN FACT, THE LAWS STILL DON'T PERMIT SOCIAL CONSUMPTION OUTSIDE IN ANY PLACE OR SOCIAL CONSUMPTION IN CLUBS AND THAT FALLS -- AND IN PUBLIC HOUSING, YOU CAN'T USE MARIJUANA BECAUSE OF PUBLIC HOUSING RULES.

SO THE ILLEGALITY OF MARIJUANA STILL FALLS DISPROPORTIONATELY ON MINORITIES AND PEOPLE IN UNDERSERVED COMMUNITIES AND PEOPLE THAT HAVE NO MONEY.

AND THEY CAN'T DO THOSE THINGS. TO SUGGEST THAT WE CAN, WE CAN'T, EITHER.

THERE'S STILL NO PROVISION IN THE LAW FOR PUBLIC CONSUMPTION OUTSIDE OR IN A SOCIAL CLUB OR A BAR SITUATION.

IT DOESN'T EXIST SO TO SAY THAT MASS CAN NOW BECOMES RESPONSIBLE FOR WHAT THEIR ATTENDEES HAVE LITERALLY ALWAYS DONE, WHICH IS SMOKE MARIJUANA, THEY CAN'T BE HELD RESPONSIBLE AND I DON'T THINK LEGALLY THEY WOULD BE HELD

RESPONSIBLE.

IN FACT, HISTORICALLY, I HAVE
SUED FOR PRECISELY THAT ISSUE.
AND SO I'M NOT -- I'M NOT OF THE
VIEW THAT STOPPING SMOKING IS
MASS CAN'S JOB OR
RESPONSIBILITY.

I THINK THAT THAT ISSUE HAS BEEN
SETTLED AND IS NOT MASS CAN'S
RESPONSIBILITY.

I DO THINK HOWEVER I WOULD LOVE
TO ENGAGE EVERYONE IN MAKING
THIS FAIRER FOR EVERYONE IN
MASSACHUSETTS AND DOING THINGS
THAT EXPAND THE LAWS IN WAYS
THAT MAKE IT FAIRER AND WE STILL
GOT A LOT OF WORK TO DO WHICH
MEANS THERE STILL NEEDS TO BE A
RALLY.

>> THANK YOU.

DID YOU HAVE ANY CLOSING
STATEMENTS?

>> I HAVE BEEN IN THIS GALLERY
MANY TIMES WAITING TO TESTIFY SO
I'M GOING TO BE VERY BRIEF AND
IT'S NOT ABOUT FREE SPEECH, IT
IS NOT ABOUT MARIJUANA.
IT IS ABOUT THE PERMIT.

IT IS ABOUT THE UNACCEPTABLE
DISRUPTION THAT OCCURS IN THE
PARK.

IT IS ABOUT THE AMOUNT OF DAMAGE
AND TRASH THAT'S LEFT, ALL THE
ASPECTS OF THE PERMIT THAT ARE
NOT ABIDED BY YEAR AFTER YEAR SO
WE LOOK FORWARD TO FINDING AN
ACCEPTABLE SOLUTION THAT MOVES
FROM THE CURRENT SITUATION, IT'S
NOT JUST THAT WE'RE SPEAKING FOR
55,000 RESIDENTS.

WE'RE SPEAKING FOR THE MILLIONS
OF PEOPLE THAT COME TO THIS PARK
WHO WANT TO BE ABLE TO USE IT
AND USE IT AS A CLEAN, SAFE,
FREE PLACE FOR THEIR PURPOSES.
SO WE LOOK FORWARD TO SEEING
WHERE WE CAN GO FROM HERE.

THANK YOU.

>> THANK YOU VERY MUCH.

THANK YOU, BOTH.

WE WILL NOW -- WE WILL NOW BEGIN
PUBLIC TESTIMONY.

I HAVE FOUR SHEETS HERE, 27

PEOPLE HAVE INDICATED THAT THEY

WOULD LIKE TO OFFER PUBLIC TESTIMONY.

I'M GOING TO ASK EVERY PERSON TO LIMIT IT TO TWO MINUTES.

AGAIN, PLEASE NO APPLAUSE.

>> COUNCILOR EDWARDS.

I JUST WANTED TO NOTE THAT THOSE FOLKS WHO BELIEVE THERE'S EQUITY WORK TO BE HAD IN THIS CONVERSATION, THAT COUNCILOR JANEY AND PRESSLEY HAVE CALLED FOR A HEARING TO DO JUST THAT AND TO SPEAK ABOUT EQUITY WITHIN THIS EMERGING INDUSTRY AND TO MAKE SURE, ACTUALLY.

SO WE'RE ACTUALLY SPEARHEADING THAT CONVERSATION.

WE DON'T GET CREDIT FOR THAT, BUT TO MAYBE SOME OF YOUR SURPRISE WE ARE TRYING OUR BEST TO MAKE SURE THAT IN AS MUCH AS THE INDUSTRY IS GOING TO GROW, IT SHOULD GROW IN AN EQUITABLE WAY THAT'S ACCESSIBLE.

I'M PUTTING THAT OUT THERE.

I'LL TEXT COUNCILOR JANEY WHEN I GET THE DATE AND TIME IF IT'S BEEN SET, BUT WE ARE -- DECEMBER 4th.

THERE WILL BE THE CONVERSATION AND WE HOPE TO HAVE THE HEAD OF THE COMMISSION, ALEXIS, IN HERE, TO REALLY TALK ABOUT THE BUREAUCRACY AND HOW WE MIGHT BE SETTING OURSELVES UP FOR FURTHER INEQUITY IN BOSTON.

>> THANK YOU COUNCILOR EDWARDS.

OUR FIRST FOLKS TO TESTIFY --
[READING NAMES]

>> WHERE THE LAPTOP IS, IF YOU CAN ADJUST THAT.

>> I'M NICOLE.

I AM THE PRESIDENT OF THE MASSACHUSETTS PATIENT ADVOCACY ALLIANCE.

I AM HERE REPRESENTING MY ORGANIZATION OUTSIDE OF MASS CAN.

HOWEVER, I AM A DIRECTOR ON MASS CAN, AS OF THIS YEAR.

I DID ATTEND THE BOSTON FREEDOM RALLY THIS YEAR.

AND I WAS A PART OF THE ORGANIZATION BODY.

THAT WAS NEW TO ME THIS YEAR.
ALTHOUGH IN THE PAST I HAVE
ATTENDED OTHER RALLIES, ALTHOUGH
I HAVE NOT BEEN A PART OF THE
INTRICATE FORMING OF IT.

I DID WANT TO POINT OUT THAT MY
ORGANIZATION DID BENEFIT FROM
THE BOSTON FREEDOM RALLY.

IN YEARS PAST, IN 2011, 2012,
AND YEARS AFTER, WE RECEIVED A
FREE BOTH.

THE ALLIANCE WAS THE GROUP THAT
SPEAR-HEADED THE MEDICAL
MARIJUANA BALLOT INITIATIVE.

OUR ORGANIZATION WOULD NOT HAVE
MET THE PATIENTS THAT HAVE
ADVOCATED IN THE STATE IF IT WAS
NOT FOR THE FREEDOM RALLY.

THE FREEDOM RALLY HAS GROWN
SINCE LEGALIZATION.

THERE ARE REGULATORY QUESTIONS
THAT WE ALL HAVE ON HOW TO
MONITOR, PLAN, AND IMPLEMENT THE
RALLY.

AND THEREFORE, ADVOCATE FOR
MARIJUANA REGULATIONS AND THE
CONCERNS AROUND IT.

NOW, I REPRESENT PATIENTS WITH
DISABILITIES THAT USE MARIJUANA
FOR MEDICAL PURPOSES.

SO THE CONCERNS THAT COME TO ME
ARE RELATIVE TO ACCESSIBILITY,
WHETHER THEY HAVE ACCESS
DISABILITIES, WHETHER OR NOT
THEIR ANXIETY WHEN COMING TO THE
COMMONS WILL BE CONTROLLED.

SO A LOT OF PATIENTS DID COME TO
ME AND TELL ME IT WAS A VERY
RELAXING AREA TO BE IN, THAT IT
WAS BENEFICIAL TO THEIR HEALTH.

I ALSO HAD FEEDBACK FROM
VETERANS THAT ARE PATIENTS FROM
MY ORGANIZATION THAT TOOK PART
IN THE CAMPING SITE THAT THEY
HAD BECAUSE THEY WERE RESPECTED
AND CARED FOR AND THAT THEY TOOK
PART IN SOMETHING THAT THEY
COULD LEARN FROM AND TAKE HOME
WITH THEM.

SO MASS CAN IS AN EDUCATION
POLITICAL ADVOCACY GROUP.

WE DO HAVE REGULATIONS THAT WE
NEED TO WORK ON.

I'M ALSO AN ADVISOR TO THE

CANNABIS CONTROL COMMISSION.
I'M VERY AWARE OF SOME OF THE
THINGS, BUT I DO WANT TO SEE
COUNCILOR EDWARDS' SUGGESTION
THAT WE WORK TOWARDS A FINAL
AGREEMENT ON HOW THESE THINGS
ARE WORKED OUT BECAUSE I DID SEE
A LOT OF RESPECT GIVEN TO THE
PATIENTS AND THE PEOPLE AROUND
THE PARK THAT NEEDED TO GET IN
AND OUT AND I HOPE THAT
CONTINUES.

I KNOW THAT WE WOULD NOT HAVE
MEDICAL MARIJUANA LEGALIZATION
HERE IF IT WASN'T FOR MASS CAN.
THANK YOU VERY MUCH.

>> THANK YOU.

MICHAEL IS NEXT FOLLOWED BY BILL
CALENDAR, FOLLOWED BY BARBARA
MOORE.

>> MY NAME IS MICHAEL TULIP.
I'M A MEMBER OF THE CANNABIS
ADVISORY BOARD TO THE CANNABIS
CONTROL COMMISSION WHERE I FOCUS
ON MEDICAL MARIJUANA
PATIENT-RELATED ISSUES.

I'M ALSO A CERTIFIED ECONOMIC
EMPOWERMENT PRIORITY APPLICANT.
I AGREE WITH THE COUNCILOR FROM
EAST BOSTON THAT THE CITY SHOULD
COME OUT WITH PROCESSES AND
STANDARDS FOR MARIJUANA EVENTS
LIKE THE FREEDOM RALLY INSTEAD
OF PROHIBITING THE EVENT.

PERHAPS ALSO LIMITING THE EVENT
TO TWO DAYS WOULD BE
APPROPRIATE, BUT I WOULD ALLOW
THE NEIGHBORHOOD ORGANIZATIONS
TO WORK IT OUT WITH MASS CAN AND
THE CITY TO EFFECTIVELY REGULATE
EVENTS LIKE THIS, INCLUDED IN AN
AREA WHERE SMOKING COULD BE
PERMITTED.

THE TONE OF THIS HEARING HAS
BEEN OFF FROM THE BEGINNING AND
IT WAS DISHEARTENING FOR ME AND
OTHER ADVOCATES TO LEARN THAT
THE MISSION OF MASS CAN IS SOME
KIND OF JOKE TO CERTAIN CITY
OFFICIALS AND THAT THE FREEDOM
RALLY IS NO LONGER NEEDED
BECAUSE MARIJUANA IS LEGALIZED.
THAT CERTAINLY SET THE STAGE FOR
WHAT WE SAW ON DISPLAY HERE

TODAY AND WHY THIS MEETING WAS SO CONTENTIOUS.

HOW DO WE EXPECT A CIVIL CONVERSATION WHEN AT THE OUTSET OF THIS MEETING THE MISSION OF THE ORGANIZATION IN QUESTION WAS TURNED INTO A JOKE BY SOME OF THE VERY COUNCILORS SPEAKING HERE TODAY?

THE COUNCILOR REPRESENTING HERE TODAY SHOULD UNDERSTAND WHY HIS CONSTITUENTS STILL ATTEND THE FREEDOM RALLY AND WHY IT IS SO IMPORTANT TO THEM.

IT IS STILL IMPORTANT BECAUSE OF HOW THE WAR ON MARIJUANA HAS RUINED THE LIVES AND FAMILIES OF THE RESIDENTS OF MATAPAN AND OTHER COMMUNITIES AROUND BOSTON. THOSE FAMILIES ARE STILL BEING NEGATIVELY AFFECTED.

LAUGHING ABOUT IT IS ABSOLUTELY UNACCEPTABLE.

EMAN ANNUAL EVENT THAT POSES LITTLE TO NO PROBLEMS IN TERMS OF VIOLENCE AND CRIMINAL ACTIVITY.

THE CITY HAS NO GOOD PLAN FOR EQUITY AND ECONOMIC EMPOWERMENT APPLICANTS SO WHY IS THIS THE MAIN FOCUS?

THE SIMPLE SOLUTION IS TO PROVIDE A SYSTEM SIMILAR TO BEER GARDENS WHERE CONSUMERS CAN USE MARIJUANA OPENLY IN DESIGNATED AREAS.

PLEASE COME UP WITH REAL SOLUTIONS.