

Thank you Mr. McQuade and members of the First Amendment Committee for this award.

I am honored to accept this award as President of the Professional Fire Fighters of New Hampshire.

I accept this award on behalf of the 2,000 active and retired members from 42 local unions, who wholeheartedly supported the effort that brings me here this evening.

The quest for openness and transparency from the Local Government Center that our union began almost ten years ago has been a consuming endeavor.

So, before I begin my remarks, I would first like to thank my wife, and my two daughters for always supporting me. I'd like to thank them for listening to me and believing in me when others did not do the same.

I also want to recognize and thank the members of the Professional Firefighters of NH, our staff, and our very talented and dedicated Attorneys Richard Molan, Glenn Milner and John Krupski.

And I especially want to thank Seacoast Newspapers and reporter Elizabeth Dinan for the nomination for this award.

The first amendment of our constitution, lays out a sacred foundation for our democracy.

It assures every person the right to speak without that freedom being abridged in any way.

In the context of our pursuit for information from the LGC, the First Amendment allowed our union to doggedly pursue transparency from a governmental body that we **knew** to be using public money in a questionable manner.

LGC provides health benefits to public employees that cost nearly 400 million dollars annually.

As public employees, we found ourselves in the uncomfortable position of publically defending the rising cost of health insurance at the bargaining table and in the media, when we knew that the cost did not need to be that high.

Compounding the issue, was that cities, towns, taxpayers, and the media were calling upon fire fighters to work for lower pay and benefits in order to compensate for the rising costs of health care.

This dynamic had serious potential to reduce the number of firefighter's on-duty, which leads to increased response times to fires and medical emergencies and ultimately leads to reduced safety in our communities.

All of the stakeholders involved needed to trust the numbers being given while being assured that health care money was not being wasted.

This fight has **always** been fundamentally a fairness issue between employers and employees as well as the right of the public to know how their money was being spent.

As you saw in the video, in 2003 we used New Hampshire's "Right to Know" law to file a series of requests asking the LGC to share documentation about how taxpayer dollars were spent within their organization.

We believed that because the LGC was simply a group of cities and towns that were all subject to the right to know law, LGC must also be governed by it. The LGC protested, fighting our attempts at openness and after two trips to the Supreme Court, the Court ultimately agreed with our position and the LGC was forced to open their books. Our suspicions were confirmed and what followed was an exhausting and frustrating multi-year campaign for public recognition of LGC's funding scheme.

All of this information gained from the LGC allowed us to illustrate clearly that they were using healthcare money for something other than healthcare.

This is a complicated topic; it is hard to know what is what just by reading, which is why in this case documents matter.

The information we had to offer was often not what people wanted to hear, and some had trouble believing it. But just because what we were saying was hard to believe, did not mean it was wrong. We spoke with just about every editorial board in this state and pitched countless stories to reporters. At first, no one picked up the stories. Even though we were not getting traction, we kept on pushing; fighting to get the facts out.

Documents gave the public, the press and lawmakers something they could hold on to and something they could wrap their arms around.

With the wind now at our backs we shared these documents with representatives and senators. We gave the information we had to the Secretary of State and the bureau of securities regulation. We wanted anyone and everyone to have the information that we had so that a solution might be found to stop the overcharging that was going on.

The LGC is still fighting against the regulations and openness, even after an independent administrative hearings officer ruled and even after their fellow risk pools voluntarily stopped similar practices. So unfortunately, tonight I do not have a definitive ending for you to this saga.

However, what became clear to me from this experience is that the first amendment, which we are here to celebrate this evening, is **crucial** to an effective democracy because it allows any person to speak truth to power. You may not like what is being said or who is saying it; but facts are hard to ignore.

It has taken us nearly a decade to get this far, forging ahead, speech protected, permitting us to say what was needed to be said to prove our case under the law. But the law does not require people to listen.

Our advocacy was only half of the battle; we were speaking out but we needed people to listen to what we were saying in order to have something done about it.

Speaker Norelli, Senators Cilley, Reynolds, DeVries and now Governor elect Hassan not only listened to what we were saying, but they **did** something about it, passing much needed regulation and strengthening oversight of public risk pools in 2009 and 2010.

Secretary of State Bill Gardner and the dedicated attorneys of the Bureau of Securities Regulation listened and they chose to investigate further and ultimately decided to commence administrative hearings.

And lastly, the reporters and editors who ultimately wrote about this issue and brought it to light listened. They wrote about the issue so that others would be able to understand what we knew.

What I hope we can all take away from this night, beyond the importance of the first amendment and what it does for those who wish to speak out, is that it is also important to hear what those people are saying, to consider it, and to pass it on to others so that knowledge can be gained and action can be taken.

In closing, this evening I ask you recall the frequently used metaphor from Justice Oliver Wendell Holmes, when writing about what speech was protected, he wrote: “never shout fire in a crowded theater”

But ask yourself, what if there really is a fire in that crowded theater?

Wouldn't you want to know it was there?