

*New England First Amendment Coalition
Fifth Annual First Amendment Awards Luncheon*

February 20, 2015
Seaport Hotel – Boston, Mass.

Featuring



Nancy Gertner

*Retired Federal Judge for
U.S. District Court of Massachusetts*

**Stephen Hamblett
First Amendment Award**

Also Honoring

James W. Foley
Journalist, Posthumously
Freedom of Information Award

Harriet Cady
New Hampshire FOI Advocate
Antonia Orfield Citizenship Award

 **@FiveFreedoms #NEFAA2015**

The New England First Amendment Coalition defends, promotes and expands freedom of information and public access to the government and the work it does. NEFAC is a 501(c)(3) non-profit corporation.

Learn more about NEFAC at www.nefirstamendment.org.

Contributions can be made at www.tinyurl.com/supportnefac



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PROGRAM SCHEDULE

Luncheon Begins	12:30
Welcoming Remarks	12:40
Thomas Fiedler, NEFAC president and dean of the Boston University College of Communication	
Luncheon Served	12:45
Presentation of the Antonia Orfield Citizenship Award	1:00
Introduction by Robert A. Bertsche, Esq., NEFAC treasurer and attorney at Prince Lobel Tye, LLP	
Acceptance and remarks by 2015 Citizenship Award recipient Harriet Cady	
Presentation of the Freedom of Information Award	1:15
Introduction by David Case, editor at GlobalPost	
Acceptance and remarks by the Foley family on behalf of 2015 FOI Award recipient James W. Foley	
Presentation of the Stephen Hamblett First Amendment Award	1:35
Introduction by Robert A. Bertsche, Esq.	
Acceptance and remarks by 2015 First Amendment Award recipient Nancy Gertner	
Closing Remarks	2:00
Thomas Fiedler	

We would like to acknowledge

The Boston Globe

for its generosity and continued support of our annual New England First Amendment Awards Luncheon.

Your support helps us recognize First Amendment and freedom of information heroes each year.

Thank you.



New England
First Amendment Coalition

ABOUT THE NEW ENGLAND FIRST AMENDMENT COALITION

Mission

The goal of the New England First Amendment Coalition is to defend, promote and expand public access to government and the work it does. The coalition is a broad-based organization of people who believe in the power of transparency in a democratic society. Its members include lawyers, journalists, historians, librarians and academicians, as well as private citizens and organizations whose core beliefs include the principles of the First Amendment. The coalition aspires to advance and protect the five freedoms of the First Amendment, and the principle of the public's right to know, in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. In collaboration with other like-minded advocacy organizations, NEFAC also seeks to advance understanding of the First Amendment across the nation and freedom of speech and press issues around the world.

History

NEFAC was formed in 2006 by a group of journalists concerned that cit-

izens, to say nothing of reporters, are routinely denied access to the work of government: public documents, meetings, hearings. Efforts in each of the six New England states to combat this growing trend had up until this point been marginally effective. The founders saw a need for a unified, region-wide organization that would speak in one robust voice across the six New England states. We've been making strides ever since.

What We Do

In addition to our annual investigative journalism institute and awards luncheon, NEFAC advocates for improved access laws and provides expert testimony on important legislative reform. NEFAC mentors law school students, helping them learn how to defend journalists and counsel them during their legal battles. We publish the NEFAC Report, a free monthly newsletter with original reporting from journalists and publishers within New England. We draft and join advocacy letters and amicus briefs, and write white papers on FOI and First Amendment policies.



ABOUT STEPHEN HAMBLETT AND THE FIRST AMENDMENT AWARD

His first newspaper job was as a summer reporter at his hometown paper, the Nashua Telegraph. It must have been a rewarding experience because soon after he graduated from Harvard, he signed on at The Providence Journal. That was 1957, and Stephen Hamblett never looked back.

Steve rose from advertising department clerk to publisher in a career fueled by qualities for which he became famous — quick wit, dedication to excellence, warmth, good humor, passion for his community and deep-seated belief in the wonder of newspapers.

During his leadership, The Providence Journal prospered financially and journalistically, the two most fundamental measures of a newspaper's success. The Journal's strong financial health drew the attention of the Belo Corporation, which acquired The Providence Journal Co. in 1997.

The publisher's job is a tightrope act, at once community booster and — via the newsroom — community watchdog. Steve Hamblett walked that rope with skill and integrity for 12 years, from 1987 to 1999, never flinching at either responsibility.

Howard G. Sutton, who succeeded Steve in 1999, said, "Steve Hamblett ran The Providence Journal during an era of hectic change in the media business. He did so with vision, compassion, decisiveness, ingenuity, and calm, leading the firm around numerous economic shoals as it became

a truly national media company, all the while maintaining the Journal's long commitment to high-quality journalism and community improvement."

One of the many proofs of the newspaper's commitment to journalistic excellence came on Steve's watch in 1994 with the award of a Pulitzer Prize for investigative reporting on "pervasive corruption within the Rhode Island court system."

"The Journal newsroom held Steve in high regard," said Thomas E. Heslin, former executive editor of The Providence Journal. "He was widely respected as a great businessman, but he knew that good journalism is good business. The newsroom always knew it had his

support."

A national figure as well as a local one, he served on the board of the Associated Press, Inter-American Press Association and the Smithsonian Institution.

As single-minded and hardworking an executive as he was, he left plenty of room for his family, his friends, an occasional drink, a good cigar and a joke. His passing in December 2005 at age 71 generated obituaries from coast (the Los Angeles Times) to coast (The New York Times) and all points in between. Steve Hamblett's memory lives on in dozens of ways. Add to them The Stephen Hamblett First Amendment Award.



Hamblett

PAST RECIPIENTS OF THE FIRST AMENDMENT AWARD

2014 James Risen | Risen is a Pulitzer Prize winning journalist for The New York Times who's done groundbreaking work on domestic spying and faced legal peril for refusing to disclose a source.

2013 Philip Balboni | Balboni co-founded GlobalPost, which has correspondents filing stories from more than 50 countries. Earlier in his career, Balboni conceived and launched New England Cable News.

2012 Martin Baron | Baron has been executive editor of The Washington Post since 2012. He was previously editor of The Boston Globe, which won six Pulitzer Prizes under his leadership.

2011 Anthony Lewis | Lewis, who died in 2013, was a journalist, teacher and a long-time New York Times columnist. He won the Pulitzer Prize twice and is credited with creating the field of legal journalism.

2015 FIRST AMENDMENT AWARD RECIPIENT NANCY GERTNER

Retired federal judge Nancy Gertner is an advocate for cameras in the courtroom, and such a proponent of transparency that she risked refusal to speak to the media about her cases.

Gertner has written several decisions reaffirming First Amendment freedoms and has been an advocate for open government.

In 2000, for example, Gertner testified about the need for more transparency in federal courts, saying that the concept of

a public proceeding necessitates a courtroom open to television cameras. She also expressed support for courtroom cameras during a 2007 hearing.

Judge Gertner even used the press to speak publicly about her cases — rarely done by active judges — and to provide another level of transparency within the judicial system. She did this though

it carried great professional risk; in one case leading to calls for her recusal.

Gertner is a graduate of Barnard College and Yale Law School where she was an editor on The Yale Law Journal. She received her M.A. in political science at Yale University. She has been an instructor at Yale Law School, teaching sentencing and comparative sentencing institutions since 1998. She was appointed to the bench in 1994 by President Clinton.



Gertner

In September of 2011, Judge Gertner retired from the federal bench and became part of the faculty of the Harvard Law School, teaching a number of subjects, including criminal law, criminal procedure, forensic science and sentencing, as well as continuing to teach and write about women's issues around the world.

ABOUT THE FOI AWARD

The FOI Award is to be given to a New England journalist, pair of journalists or media institution for a body of work from the previous calendar year that protects or advances the pub-

lic's right to know under federal or state law. Preference will be give to applicants who overcome significant official resistance.

PAST RECIPIENTS OF THE FOI AWARD

2014 Brent Curtis | A reporter for the Rutland (Vt.) Herald, Curtis fought for access to certain police records and helped make Vermont police departments more transparent.

2012 Don Stacom | Stacom of the Hartford Courant pursued stories about police misconduct through the Connecticut Freedom of Information Commission, prompting a shakeup of the New Britain, Conn., police department.

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2015 FOI AWARD RECIPIENT JAMES W. FOLEY

A seasoned war correspondent, New Hampshire native James Foley committed himself to the truth and, in his words, “exposing untold stories.”

While working in Iraq, Afghanistan, Libya and Syria, Foley reported on the lives of those disadvantaged and suffering. His barbaric death last August reminded the nation of the dangers of his craft and the threats against freedom of information.

Foley reported difficult stories and wrote about those most affected by war, despite the incredible risks to his safety. Ultimately, he made the greatest sacrifice in pursuit of these stories. His work reflects the principles of the First Amendment and the importance of an informed public.

Foley spent much of his time writing for Boston-based GlobalPost, reporting from war-torn countries in the Middle East.

In 2011, Foley was detained by Colonel Gaddafi’s Libyan regime for 44 days before being released. In January 2012, an undeterred Foley began reporting from Syria. He was kidnapped that November and was murdered by ISIS in August 2014. The brutal and public nature of his execution generated an outpouring of support for journalists working in battle zones.

“With the death of Foley — who hailed from Rochester, New Hampshire, studied at the University of Massachusetts and freelanced for GlobalPost — we lost one of our own,

and not only because of his New England roots,” wrote NEFAC’s Board of Directors in a statement following Foley’s death last year. “James Foley was a truth-seeker. Like most in his profession, he was driven to his work by a commitment to seek out and report information and, in his words, to ‘expose untold stories.’ His dauntless

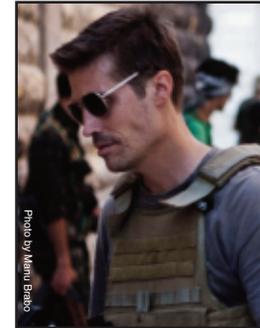
reporting enabled the rest of us to derive insight and understanding about those with backgrounds and experiences very different from our own.”

Foley grew up in the town of Wolfeboro, N.H. He was the oldest of five children. After graduating from Kingswood High School in 1992, he chose to go to Marquette University in Milwaukee, Wis. At Mar-

quette, he made life-long friends and was challenged to serve the voiceless. From 1996 to 2000, he served four years with Teach for America, teaching in inner city Phoenix, Ariz.

Foley was drawn to writing and completed an MFA program in writing at the University of Massachusetts, Amherst, in 2002. While in Massachusetts, he taught unwed mothers to help them achieve their GED and later in Chicago, taught English to inmates at the Cook County jail.

Foley studied at the Medill School of Journalism at Northwestern University in Illinois. His time there would help prepare him for a career in journalism, one that merged his interest in writing with his compassion for the poor, disadvantaged and suffering amid conflict.



Foley

ABOUT ANTONIA ORFIELD AND THE CITIZENSHIP AWARD

The Antonia Orfield Citizenship Award is given to an individual from one of the six New England states who has fought for information crucial to the public's understanding of its community or what its government is doing (or not doing) on its behalf. The candidate should have shown tenacity or bravery in the face of difficulty in obtaining information that the public has a right to know.

Orfield was an author, mother, optometrist, clinical professor and active citizen. She worked to improve the schools in the communities she lived in, serving on one of the first elected local school councils in Chicago. She also sought to advance her profes-



Orfield

sion and improve the lives of her patients through the use and teaching of therapeutic non-surgical methods of vision therapy. As a researcher, she knew the importance of access to data to analyze, draw conclusions and challenge existing assumptions of screening and treatment protocols. Dr. Orfield operated a vision clinic in Mather Elementary School in Dorchester, Mass., which documented the improvement of children's grades and test scores with unconventional vision-related remedies to learning problems. The findings were published in several articles and in "Eyes for Learning," her 2007 book.

PAST RECIPIENTS OF THE ANTONIA ORFIELD CITIZENSHIP AWARD

2014 Kit Savage | Savage's investigation uncovered violations of the Individuals with Disabilities Education Act, which formed the basis of a complaint to the Connecticut Department of Education.

2013 David Lang | After a nine-year crusade, Lang exposed the mismanagement of health insurance premiums, resulting in a court order to refund \$53 million to New Hampshire public employees.

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2015 CITIZENSHIP AWARD RECIPIENT HARRIET CADY

Harriet Cady is a long-time open government activist, frequently speaking on freedom of information concerns and recently helping to create the watchdog group Right to Know New Hampshire. The group advocates for the state's freedom of information law and Article 8 of the state constitution, which protects public access to government meetings and records.

"Every year, there are attempts made to make it harder, or too expensive, for residents to see what government is doing," she told the Union Leader last year. "It irritates me beyond belief. It's a fight I'm always ready for."

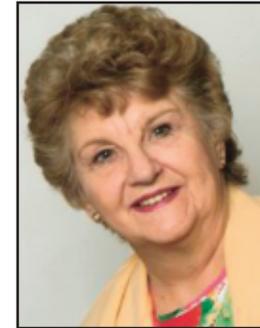
Cady's advocacy has led to several right to know lawsuits. As a paralegal, she helped residents file claims against their town officials and she argued on the residents' behalf. In two cases, her involvement led to court decisions that either reaffirmed or broadened the state's Right to Know Law. In *Cioffi v. Sanbornton* (2001), the court ordered

town officials to change their check signing procedure to allow for more transparency. In *Miller v. Dreyer* (2003), the court addressed the use of email by officials to conduct town business, deciding that the public should have access to those records. More recently, Cady successfully challenged *pro se* a Superior Court's determination

that town officials must willfully disregard open meeting requirements in order to violate the right to know statute.

Throughout her career, Cady has served the public in many roles, most recently serving in the New Hampshire legislature from 2002 to 2006, and spending five years as an appointee to the state's Right to Know Commission.

During her time on the commission, Cady helped review and rewrite sections of the New Hampshire public records and open meeting law. She regularly appears on the Manchester radio show, "Girard at Large," to discuss open government concerns within New Hampshire.



Cady



NEFAC Joins Open Government Groups to Blast R.I. Attorney General Opinion

Calling it "a new low" in Rhode Island's enforcement of the Access to Public Records Act (APRA), the New England First Amendment Coalition joined several fellow open government groups to blast an opinion recently issued by the attorney general's office. The advisory opinion, *Clark v. Dep. of Public Justice*, held that public bodies can charge members of the public for the time it takes to complete a letter denying an open records request. [More](#)

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