



**Statement from the Rose Kennedy Greenway Conservancy  
From Executive Director Nancy Brennan  
October 6, 2011**

Activists have pitched tents on the Dewey Square lawn, as part of Occupy Boston. All scheduled Greenway events are going forward, as planned. Occupy Boston organizers have been cooperative with the Greenway Conservancy and the Boston Police Department to date, and have agreed to avoid the planting beds and adhere to common sense rules of conduct. The Boston Police Department is handling any potential public safety issues.

Occupy Boston has also cooperated to enable the smooth load in/load out for the Boston Public Market, a farmers market that happens on Dewey Square on Tuesdays and Thursdays. We are aware that we will need to replace the lawn on Dewey Square and that will be done within the Conservancy's normal park operations budget.

**Permitting:**

The Rose Kennedy Greenway is a public park and is available by law for the expression of free speech. According to the 2010 Greenway Park Use Guidelines, approved by the City and State:

*Protests and Other Expressions of Free Speech:*

*Protests and other expressions of free speech are guaranteed by the Constitution of the United States. Protests and free speech taking place at or near programs, events, or other activities are allowed so long as such protest is not disruptive to the public or the event. Rules for public assembly established by the City of Boston will apply.*

*If a protest or other expression of free speech requires any set up including but not limited to tables and chairs, tents, podiums, or amplified sound, a City permit is required.*

Occupy Boston is a spontaneous event and an expression of free speech that did not go through the permitting process with the Conservancy or the City. No one asked for permission. No one gave permission.

**Electrical Usage:**

Dewey Square is wired for electrical usage. Occupy Boston asked for permission to plug into these electrical outlets. The Conservancy decided to agree to this because the option proposed by the protesters was to bring a generator and fuel to the Greenway, which would have posed a public safety hazard. The State and the Conservancy will cover the cost of any electrical usage, which will be negligible.

**Usage Rules:**

The park guidelines (on our website at [www.rosekennedygreenway.org](http://www.rosekennedygreenway.org)), which were approved by the State and the City, state that the park closes at 11 PM and reopens at 7 AM. Occupy Boston is an extraordinary situation. We are prepared to allow Occupy Boston to maintain the status quo, following the lead of the City and the Boston Police Department, which is responsible for public safety on the Greenway.



The Conservancy views the Greenway as Common Ground. In addition to supporting free speech, we're aware that asking the protesters to leave will create conflict and significant expense. Should circumstances become unfavorable, we will work with the Boston Police Department to determine the appropriate response. We are prepared to do that, if and when protesters do not adhere to the common sense rules of conduct moving forward.

Again, this is an extraordinary situation. This does not mean other people will be able to "camp out" overnight on the Greenway, per park guidelines.

Occupy Boston is taking place on 3-4% of the Greenway. Dewey Square is approximately one-half acre of land in a 16-acre park. The rest of the Greenway is open, active, and beautiful.

**Costs:**

The non-profit Greenway Conservancy will be paying to re-plant the grass as part of our regular park operations budget. 40% of the Conservancy's budget is provided by the State of Massachusetts. The remaining 60% comes from private donors.