

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMMUNITY ARTS ADVOCATES, INC.,)	
and STEPHEN H. BAIRD,)	Civil Action No:
)	04 11618 NG
Plaintiffs,)	
)	Judge Nancy Gertner
v.)	
)	
CITY OF BOSTON,)	
)	
Defendant.)	

DECLARATION OF STEPHEN H. BAIRD

I, Stephen H. Baird, declare as follows:

1. I have personal knowledge of the matters stated herein and I make this declaration based upon my own knowledge and recollection of those matters.

2. I am a singer, musician, actor, and puppeteer. I perform on a variety of instruments, including the hammered dulcimer, the mandolin, and the guitar. I have performed in the United States and internationally, including appearances at the Kennedy Performing Arts Center, New England Artists Showcases, and at over five hundred college campuses, libraries, schools, parks, camps, television programs, festivals, concerts and theaters. My art and performances have been featured in such publications as Time, Newsweek, People, The Boston Globe, The Chicago Tribune, The New York Times, and The American Bar

Association Journal. My art and performances also have been featured in a Public Broadcasting Service documentary ("Street Singer") and a Discovery Channel documentary ("Millennium Music Series"). I attach to this declaration a resume and list of selected appearances.

3. I am the Founder and Executive Director of Community Arts Advocates, Inc. ("CAA"), a non-profit Massachusetts corporation dedicated to expanding public awareness, participation in and support of the arts through performances, festivals, exhibits and workshops, publicity, educational forums, non-profit arts management consultation services, and collaborative projects. CAA has a website at <http://www.communityartsadvocates.org>. CAA's members include musicians, singers, actors, magicians, puppeteers, portrait artists, and caricature artists, among others.

4. On June 19, 2004, I was setting up my hammered dulcimer, a First Century precursor to the piano, on the Mayor's Path on the Boston Common at about 1:45 P.M. when I was approached by Ranger 217 of the Boston Parks and Recreation Department. I made sure to set up so as not to obstruct the Mayor's Path, and displayed by 2004 Boston Police Department Itinerant Musician License. Ranger 217 told me that I was not allowed to perform because people might trip over my hammered dulcimer, creating a dangerous

public safety hazard. He also told me that I need a permit from the Boston Parks and Recreation Department to perform and that the Boston Police Itinerant Musician License is not valid on the Boston Common. I replied that I have a right to perform, that I thought public safety is often used as a guise for censorship, and that I was sure the City never has been sued for people tripping over a hammered dulcimer. Ranger 217 laughed and agreed that the City probably has not been sued by people tripping over a hammered dulcimer. I also told him that the Parks Department does not issue permits for performers. Ranger 217 responded that, yes, the Parks Department does not issue permits for this type of performance activity. When I continued to set up, he became more belligerent and told me not to set up. He refused to give me his name. After I pressured him, telling him that I was meeting with City officials on Monday, he told me that his call number is 217. The Ranger then started to back down from the confrontation, he told me I could perform at another location on the Common, and hinted that he would not stop me from performing. I packed up and walked down the Mayor's Path toward the Public Garden. Later, at about 3 P.M., I set up and began to play at a different location on

the Common. The same Ranger walked by and shouted from a long distance that it was okay to play there.

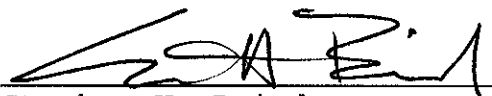
5. The next time I went out to perform in Boston, on July 18, 2004, at about 3:40 P.M., I was threatened again by Park Ranger 217 on the Boston Common. It was a very quiet and slow time with just a few people around. I was not blocking the pathway. I was playing my guitar and singing an old love ballad, "Danny's Song," with sign language. The Ranger told me I could not set up shop on the Mayor's Path. He also called a Mounted Ranger as back up to oversee the conversation. The Ranger again asked for a permit. I again told him the Parks Department does not issue permits. He again told me he knows they do not issue permits. I asked him why he repeatedly asks me for a permit they do not issue. The Ranger ignored my question and again repeated his assertion that people will trip over the hammered dulcimer and the Parks Department will be sued. He again said I had to move my location to another part of the Common. He relented a bit by saying that I only had to move off the park bench and onto the grass. I believe that if I did not stop performing, I would have been arrested on the spot.

6. On August 27, 2004 at about 4:30 P.M. I was at Dock Square, also known as Samuel Adams Park, with a

photographer from the Boston Phoenix to take a photograph for that publication. I warned the photographer that the police might come out to stop the photo shoot and performance. A Boston Municipal Officer obliged. I was playing the hammered dulcimer by the statue of Samuel Adams in Dock Square. The Municipal Police Officer showed up within ten minutes and told me that I was not allowed to perform. He told me that he would ignore me briefly, but would require that I leave immediately if anyone officially noted I was there. I did not stay around after the photographs were taken to get threatened further.

7. Because of these incidents, I have decided not to try to perform on the streets, sidewalks, or parks of the City of Boston because I believe I will be arrested if I go out again.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.



Stephen H. Baird

9/29/04

Date

Stephen H. Baird

ARTIST ♦ ADVOCATE ♦ ADMINISTRATOR

Community Arts Advocates, P.O. Box 112, Jamaica Plain, MA 02130

Tel: 617-522-3407 Email: info@communityartsadvocates.org

Web Site: <http://www.CommunityArtsAdvocates.org>

Resume

Art/Administrative Experience

- 2001-present Community Arts Advocates Boston, MA
Director, Founder, grassroots nonprofit consulting company, long range strategic planning, emergency intervention and fiscal services, incubation and incorporation services, marketing, fundraising, festival and event production, publication and newsletter design and production, arts advocate, locally, regionally, nationally and internationally.
- 1979-present Street Arts Advocates Boston, MA
President, Founder, producer of festivals, editor and publisher of newsletter, legal advocate, consultant and writer for city ordinances locally, regionally, nationally and internationally.
- 1971-present Performing Artist
Performs internationally; including appearances at International Street Performing Festivals (1993, 1990, 1988), International Puppetry Festival (1990), Kennedy Performing Arts Center (1975); New England Artists Showcase (1977, 1978, 1979, 1980, 1981, 1983, 1985), regional NECAA college artists showcases (1974-82). Performed at over one thousand college campuses, libraries, schools, parks, camps, television programs, festivals, concerts and theaters.
- 1986-2002 Bread and Roses Heritage Committee Lawrence, MA
Founding member and consultant to committee which yearly produces multi-ethnic, women and labor history festival; attendance of 20,000. Member of Board of Directors and Advisors.
- 1999-2001 Jamaica Plain Arts Council Boston, MA
Executive Director: Reorganizer and rebuildier of this historic Community Arts Center. Producing Jamaica Plain Open Studios one of the city's largest arts events. Coordinating Arts Services to Jamaica Plain and surrounding Boston Neighborhoods. Raise funds, hire and manage staff volunteers and interns and manage budgets of \$100,000 cash, \$100,000 inkind.
- 1995-1997 Club Passim Cambridge, MA
Reorganizer and General Manger of this historic music club in Harvard Square. Organized benefits and crisis management team, restructured as nonprofit. Produced 500 cultural events/yr -- 7-days a week-- poetry readings, art gallery, music, workshops. Raise funds, hire and manage staff volunteers and interns and manage budget \$300,000 cash, \$200,000 inkind
- 1982-1997 Folk Arts Network, Inc. Cambridge, MA
Founder; President, Board of Directors 1982-1985 Executive Director 1986-1997.
Produce concerts and festivals (over 1000), conferences(5); publish newsletters (10,000), magazines (120,000) and directories (50,000); manage budgets (\$250,000); write and obtain grants from national, state, local and private agencies. Coordinate FAN programs, act as resource to folk and multicultural arts communities.

Art/Administrative Experience (continued)

- 1987-1992 Arts Extension Service, Inc. Amherst, MA
 University of Massachusetts - Division of Continuing Education
 Member, Board of Directors; presenter at conferences
- 1985-1991 Street Festival and Programs
 Faneuil Hall Marketplace Boston, MA
 Cambridge Arts Council, Cambridge, MA
 Consultant producer for seven festivals with attendance of 10,000 to 50,000.

Awards

- 2000 Odyssey Discovery Channel Documentary, Blacklight Productions, Hollywood, CA
- 1989 Outstanding Leadership Award for Art Administration by Consortium of Local Arts Agencies.
- 1985-1986 University of Illinois Champagne-Urbana, IL
 Artist-in-residence. Included two weeks of workshops, lectures, performances.
- 1979 "Street Singer", Public Broadcasting Service--Featured in nationally-distributed PBS documentary.

Stephen Baird has also been featured in articles in People, Newsweek, Time, New York Times, The Boston Globe, The Chicago Tribune, The American Bar Association Journal, Sing Out! Folk Magazine and other publications and books.

Education

- 1983-1998
 Massachusetts Cultural Alliance Boston, MA
 Arts Extension Service, Division of Continuing Education
 University of Massachusetts Amherst, MA
 Workshops and courses on arts administration, fundraising,
 volunteer coordination, board development
- 1966-1971
 Northeastern University Boston, MA
 Matriculated as undergraduate in Chemical Engineering

Skills

- Computer Desktop publishing --Pagemaker, Quark Xpress, Photoshop, Scans
- Database management--Filemaker Pro, scripts, relational database
- Financial Spread sheets--Lotus 1,2, 3. Excel, Claris Works
- Accounting--Quicken and Quickbooks
- Word Processing--Microsoft Word, merge letters
- Internet Web Sites--Adobe Pagemill, Claris Home Page

Stephen H. Baird

ARTIST ♦ ADVOCATE ♦ PERFORMER

COMMUNITY ARTS ADVOCATES, PO BOX 112, JAMAICA PLAIN MA 02130

Tel: 617-522-3407 Email: mail@CommunityArtsAdvocates.org Web: http://CommunityArtsAdvocates.org

Selected Appearances

(* one to four five or more return engagements)

FAIRS & FESTIVALS

- € Arts Extension Service New England Arts
- * Acton/Boxborough Jamboree
- * Blacksmith House Folk Festival
- * Boston Folk Festival
- * Bow Street Fair
- € Bread & Roses Labor Day Heritage Festival
- * Brockton Summer in the Park
- € Cambridge River Festival
- € Cambridge Street Performer Fest
- € Cayuga County College Folk Arts Festival
- * Fall River Holiday Festival
- * First Night Boston
- * First Night Brockton
- * First Night Hartford
- * First Night Lawrence
- € First Night Worcester
- € Harvard Pumpkin Festival
- * Harvest Days at Laughing Brook Nature Ctr
- * Hudson River Revival Clearwater Festival
- * Edmonton International Street Performers Fest
- * Good Old Summertime
- * Joe Val Bluegrass Festival
- € Illinois Central College Folk Arts Festival
- * International Puppetry Festival
- * Kent State University Black Squirrel Festival
- * La Festa, North Adams
- € Marblehead Arts Festival
- € Marlborough Arts Festival
- € Mattoon Street Arts Festival
- * Oberlin College Coop Fair
- * Orange Arts Festival
- € Oxford Founders' Day
- € Pawtucket Arts Festival
- * Pennsylvania State Arts Festival
- * South Shore Arts Festival
- * Springfield's Big Fourth Festival
- * Syracuse Arts Festival
- * Taunton River Festival
- * Three Apples Storytelling Fest
- * Uxbridge Summer Concerts
- * WBZ's Kids Fair
- € West Springfield Arts Festival
- * Winter Hawk Bluegrass Festival

CAMPS, LIBRARIES, MUSEUMS & SCHOOLS

- * Amesbury Public Library
- * Arlington Public Library
- * Aquarium Concerts
- * Boston Public Libraries
- * Boston Public Schools
- * Brookline Elementary Schools
- * Burlington Public Library
- * Boston Community Schools
- * Chelmsford South Row PTA
- * Chelsea Public Library
- * Children's Hospital
- € Children's Museum
- * Dedham Public Library
- * Derby Summer Arts Camp
- * Fuller Art Museum
- * Gardner Heritage Park
- * Hyde Park YMCA Camp
- € Jewish Community Camp
- * Kamp for Kids
- € Lawrence Heritage Park
- * Leominster Public Library
- * Lesley College Kids Conference
- * Lincoln Schools Arts Fair, IL
- * Lowell National Historical Park
- * Lynn Heritage State Park
- * Lynn Public Library

- * Mansfield Park & Rec Camp
- * Medford Public Library
- * Malden Public Library
- * Manchester Museum of Arts & Science
- * Meadow Brook Day Camp
- * Museum of Transportation
- * Needham Public Library
- * Newton South High School
- * North Reading Public Library
- * North Suburban YMCA Camps
- * Pembroke Elementary Schools
- * Reading Public Library
- * Rolling Hills High School, Chicago, IL
- * Salem Elementary Schools
- * Springfield Public Library
- * Springfield Public Schools
- * Sterling Education Assoc.
- * West Brookfield Public Library
- * Wilburham Soule School PTO
- * Winchester Public Library
- * Winfield CT Elementary School
- * Winthrop Public Library
- * YMCA Outdoor Camps

COLLEGES & UNIVERSITIES

- * Belleville Area College
- * Bentley College
- * Bloomsburg State College
- € Boston College
- * Boston University
- * Bristol Cnty. Cmty. College
- * Carthage College
- * Central New England College
- € Cayuga Cnty. Cmty. College
- * Dean Junior College
- * Eastern Conn. State College
- * Eastern Illinois University
- * East Stroudsburg St. College
- * Fitchburg State College
- * Heidelberg College
- * Hiram College
- € Illinois Central College
- * Indiana St. Univ./Evansville
- € Kent State University
- * Knox College
- * Lakeland College
- * Lakeshore Tech. College
- € Lorrain Cnty. Cmty. College
- * Loyola University
- * Madison Area Tech. College
- * Michigan State University
- * Middlesex Cmty. College
- * Northern Illinois University
- € North Adams State College
- * North Shore Cmty College
- * Oberlin College
- * Ohio State Univ./Mansfield
- * Parks College
- * Quinsigamond Cmty. College
- € Rensselaer Polytechnic Inst.
- € Salem State College
- * Saint John University
- * Saint Mary's College
- * Southeastern Mass. University
- * Southern Illinois University
- * Springfield Tech Cmty Coll.
- * SUNY/Albany
- € SUNY/Cobleskill
- * SUNY/Cortland
- * SUNY/Geneseo
- * SUNY/Morrisville
- * SUNY/Oneonta

- * SUNY/Utica-Rome
- * Syracuse University
- * Tompkin Cortland Cmty Coll.
- * Univ. of Connecticut
- * University of Colorado
- * Univ. of Bridgeport
- * Univ. of Evansville
- € Univ. of Illinois/Urbana
- * Univ. of Massachusetts
- * Univ. of Michigan
- € Univ. Wisc./Eau Claire
- * Univ. Wisc./Green Bay
- * Univ. Wisc./LaCrosse
- * Univ. Wisc./Madison
- * Univ. Wisc./Milwaukee
- * Univ. Wisc./Oshkosh
- * Univ. Wisc./Parkside
- * Univ. Wisc./Stout
- * Univ. Wisc./Superior
- * Villanova University
- * Wellesley College
- * West Chester State Coll.
- * Western Illinois Univ.
- * Western Wisc. Tech. College
- * Wittenburg University
- € Worcester State College
- € Youngstown State University

CLUB & COFFEEHOUSES

- * A New Song Coffeehouse
- * Caffe Lena, NY
- * Club Passim
- * Eight Step, NY
- € Folkways, NH
- * Grog
- * Homegrown Coffeehouse
- € me & thee Coffeehouse
- € Nameless Coffeehouse
- * Red Herring Coffeehouse, IL
- * Saturday Nite in Marblehead
- * Somebody Else's Troubles, IL
- * Speakeasy, NY
- * Stone Church, NH
- € Sword in the Stone
- * Wild Hog in the Woods, WI

ARTIST-IN-RESIDENCE Univ of Illinois ('85)

TELEVISION

- ABC Special "People"
- NBC Nightly News
- PBS Documentary "Streetsinger"
- Discovery Odyssey Channel "America"
- WBZ "Evening Magazine"
- WCVB "Chronicle"
- WGBX Ch. 44 (PBS)
- WHA Madison WI

- RADIO, Boston & else where
- WBCN, WBRS, WBUR, WBZ, WEEL,
 - WERS, WGBH, WHRB, WHBR, WUMB,
 - WPKN (Bridgeport CT), WRPI (Troy, NY),
 - WHA (Madison, WI), WHUS (Chicago),
 - WUMN (Minneapolis)

PERIODICALS

- Time, Newsweek, People, New York Times,
- Boston Globe, Boston Herald, Boston
- Phoenix, Cleveland Plain Dealer, Village
- Voice, Chicago Sun Times, Milwaukee
- Journal, Syracuse Times, Wisconsin State
- Journal, American Bar Association Journal