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Details from Patrisha McLean's piece in the library exhibit.

Threats, intimidation, power and control — WHEN DOES IT END?

BY ALICE MCFADDEN

ROCKLAND — Late in the afternoon of Friday, Feb. 15, the day after Patrisha McLean's multimedia project on domestic violence, "Finding Our Voices, Breaking the Silence of Domestic Abuse," opened at Camden Public Library, Eric Morse, a lawyer representing Don McLean, singer-songwriter of "American Pie" fame and Patrisha's ex-husband, sent an email to The Free Press and later to Pen Bay Pilot, as well, demanding each "cease and desist republishing defamatory statements that damage Mr. McLean's reputation and character" and threatening a lawsuit. The lawyer's email

referred to articles that ran in advance of the opening of the show. (A link to The Free Press article of Feb. 7, 2019, is included at the end of this story.)

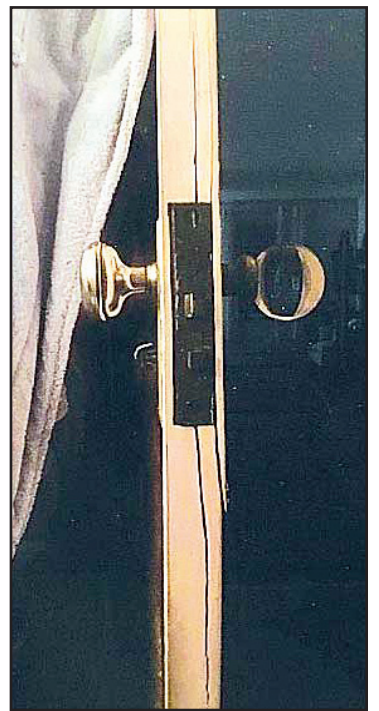
Jeannine Oren, one of the women who tells her story in the show at the library, said on Monday after seeing Morse's letter, "So now we are all watching domestic abuse in real time."

"I finally got away, and now after three years it's still going on," said Patrisha McLean on Sunday during an interview after having seen the lawyer's letter. "He's hounding me every step I take, intimidating me, intimidating the media. It's back to square one. It's all about him.

He uses his money and fame to intimidate and threaten. It is hard. I am afraid."

But, said Patrisha, who is dedicated to continuing her work on domestic abuse and as an advocate for reform of the legal system's handling of cases involving domestic violence and abuse, "I want the truth to be out and stay out. I found my voice. I want to keep my voice. I want it to grow stronger and I want to help other people find their voice. I want the power and control to stop. I don't know how that's going to happen, but maybe the power of our voices can overcome the control of our abusers."

DOMESTIC, page A7



Details from Patrisha McLean's piece in the library exhibit.

Rockport residents may vote on food sovereignty

Town lawyer raises questions about ordinance

BY DANIEL DUNKLE

ROCKPORT — Marci Casas, whose family has a working farm in Rockport, wants to be able to sell prepared jams and dill pickles without having the farm's kitchen licensed by the state.

Townpeople may be able to vote in June to enact an ordinance that would allow her to do that under the state's Food Sovereignty Act.

First, however, the proposed ordinance must be put on the ballot or town meeting warrant by selectmen. After hearing the proposal at a recent Select Board meeting, they

sent it to the town attorney, who has raised concerns about the ordinance.

The concern the attorney raises is that the law states that direct producer-to-consumer transactions are allowed only at the site of production. In other words, under this provision, farmers and other food producers can sell food on their property, at a farm stand, for example, but not off-site at social events, fundraisers or farmers' markets.

"The ordinance goes beyond what is permitted in the law," said attorney Philip Saucier of Bernstein Shur in an email to Town Manager Rick Bates.

Casas and fellow food sovereignty advocate Jesse Watson disagree with that interpretation. They plan

VOTE, page A8

Students work from home on snow day

BY DANIEL DUNKLE

CAMDEN — The Camden-area school system's first remote snow day started with something of a battle cry from Superintendent Maria Libby, who sent out an email Tuesday, Feb. 12, saying,

"To my fellow pioneers of MSAD 28 and Five Town CSD. ...Tomorrow we will make history. You will be part of the first Remote School Day ever used in a Maine public school. It is at once exciting and serious to be part of something that could change the way Maine approaches snow days in the future."

The idea, which was widely publicized and somewhat controversial earlier in the school year, mirrors in education what has been happening with many adult workers in the community. When snowstorms make it unsafe to drive to work, many employees find they can work from home via the

SNOW DAY, page A3



On a snowy remote school day, Camden-Rockport Middle School student Molly Simmons takes time to study in the fresh air.

Knox County mistakenly broadcasts closed-door meeting

BY STEPHEN BETTS

ROCKLAND — The Knox County Commission held a lengthy closed-door meeting Tuesday, Feb. 12, about turmoil in the dispatch center, but unknown to the commissioners, their discussion was being aired live over the internet.

The county broadcasts its meetings, which can be viewed by going to its website, knoxcountymaine.gov. The camera and audio, however, are supposed

to be turned off when the meetings are concluded and when they go into an executive session.

That did not happen, however, at the meeting last week, which was supposed to be an evaluation of County Administrator Andrew Hart. State law allows government boards to hold closed-door meetings on certain personnel matters.

The meeting quickly turned to the issue of the communications center, however, and that

dominated the closed-door meeting. At issue is significant turnover in the facility, according to county officials. The center is down four dispatchers and there has been criticism of how the facility is managed.

The city created a deputy communications director position about a year ago to help improve the situation. Former Rockland Deputy Police Chief Wally Tower was hired for the post.

Tower was offered

the patrol administrator position with the Knox County Sheriff's Office under new Sheriff Tim Carroll, but in the end returned to the deputy director position.

Camden Fire Chief Chris Farley, who is chair of the executive board for the Knox County Regional Communications Center, said there have been issues surrounding retention of employees in communications, as well as morale.

BROADCASTS, page A6

Camden officials dissolve Harbor Committee, seek new members

BY SUSAN MUSTAPICH

CAMDEN — A majority of the Select Board voted to dissolve the town's Harbor Committee, and agreed to seek applications from interested citizens to reconstitute it.

The 4-1 vote took place Feb. 12, with Taylor Benzie, Chairman Bob Falciani, Alison McKellar and Marc

Ratner in favor, and Jenna Lookner opposed.

During the discussion, there was talk about how the Harbor Committee had dealt with difficult issues and was at an impasse.

There was no mention of a May 2018 Select Board vote that changed the windjammer license regulations to allow an

DISSOLVE, page A6

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DOMESTIC, from page A 1

I'm going to continue the best I can. But when does it end? We've been divorced for three years, yet still that letter demonstrates every one of the power and control issues associated with domestic abuse."

Don McLean was arrested at around 2 a.m. Jan. 18, 2016, at the couple's home in Camden. The exhibit at the library includes a panel with Patrisha's Jan. 19, 2016, protection from abuse order statement describing the events leading up to Don's arrest that night, along with photos of what she describes in the statement. Details from some of those photos that are part of the exhibit at the library are shown on page 1. According to Patrisha, she escaped into the bathroom and called 911 for help after what she has described as hours of being terrorized, pinned on the bed, hit and threatened by her husband. When police arrived, she begged them not to arrest him, but Maine's domestic violence arrest policies mandate arrest when there is probable cause to believe that aggravated assault has occurred.

He was charged with domestic violence assault, domestic violence criminal threatening, criminal mischief, criminal restraint, domestic violence terrorizing and obstructing report of crime or injury. Under the terms of a deferred disposition plea deal negotiated by Don McLean and his lawyer with the prosecutor, in July 2016 Don McLean pled guilty to charges of domestic violence assault, domestic violence criminal threatening, criminal mischief and criminal restraint, and the terrorizing and obstructing report of crime or injury charges were dismissed.

The plea deal included conditions that he have

no contact with Patrisha and that he have a mental health evaluation. So long as he met the conditions over the course of the following year, the domestic violence assault charge would be dismissed. On July 20, 2017, the court found that he had abided by the conditions of the agreement and the domestic violence assault charge was dismissed, but he was convicted of domestic violence criminal threatening, criminal mischief and criminal restraint. He paid about \$3,600 — \$1,000 for each crime plus some fees — and the case was settled.

“I was silent about it — it was to protect his career and because I loved him and wanted to protect him.”

In a Feb. 4 interview on "The Chris Wolf Show" on Maine Coast TV, Patrisha said that after her husband's arrest made worldwide news, "the silence was broken and all of a sudden everything really got better from then on."

As she said in the interview with Chris Wolf, "Everyone probably thought we had a charmed life in the mansion up on the hill," but she said she was silent about the physical and emotional abuse that was part of their 29-year marriage. "I was silent about it — it was to protect his career and because I loved him and wanted to protect him."

She divorced her husband in June 2016. After the arrest became public, she said that "everyone was coming up to me and telling me their stories — so it was like a

veil had lifted ... this is the reality, it's going on everywhere, but no one knows about it because no one's talking about it. Everyone keeps it to themselves." And it was that realization, she said, that led to her planning the exhibit that's now at the library.

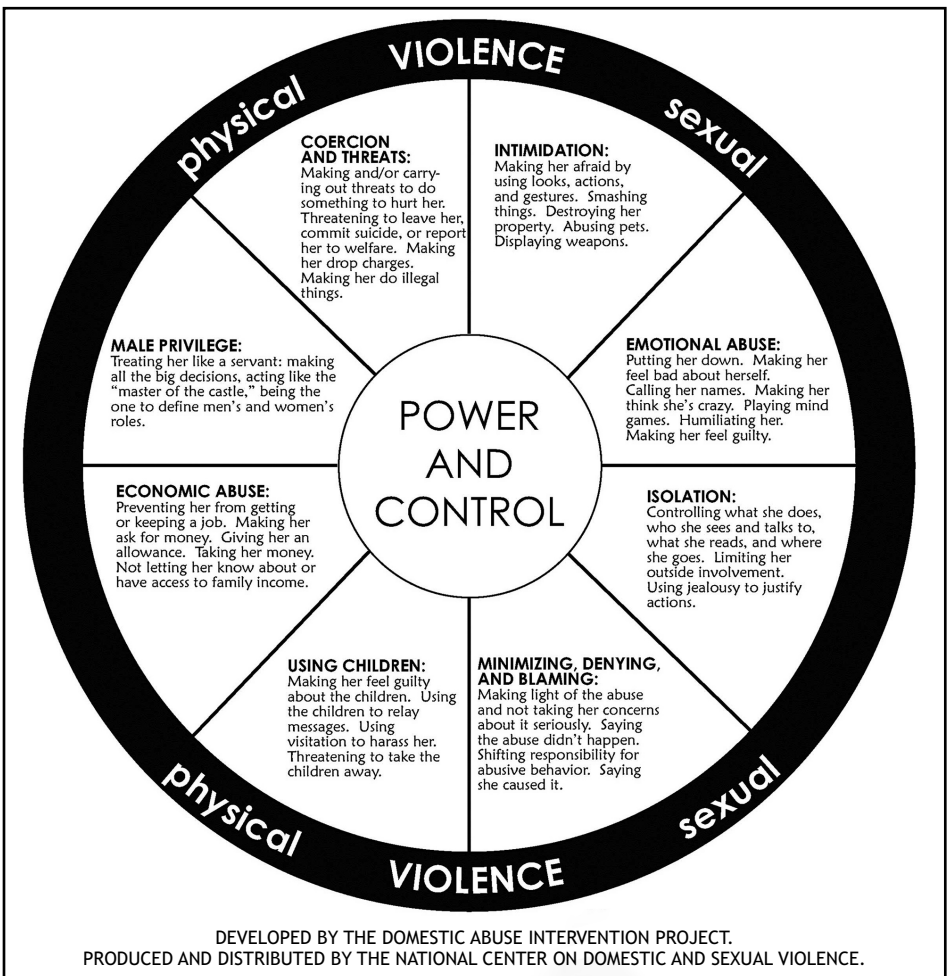
She is still wrestling with countless questions about how the legal system handles domestic abuse cases. As she said, "I wanted to testify. I wanted accountability. What other crime has people not wanting to press charges — except in the case of victims of domestic abuse a preponderance of the time? So when you finally have someone who wants to testify, why not go to trial? Why instead offer deferred disposition in the case of such a serious charge as domestic violence?"

Meanwhile, McLean's exhibit provides answers for another maybe too-often-asked question: "Why is it so hard for women to walk away?" The exhibit, she said, was put together to answer that very question. And it does that, perhaps in a clearer voice than has ever been heard before.

"Finding Our Voices" is on view at Camden Public Library — the first stop on its statewide tour — through February. The website for McLean's project is findingourvoices.net — and, she said, the website can be of particular value for those for whom bringing home literature about domestic abuse is too risky.

Alice McFadden is the longtime publisher and executive editor of *The Free Press* as well as interim general manager of *Courier Publications*.

Read the Feb. 7 Free Press story here: <https://knox.villagesoup.com/p/patrisha-mcleans-new-exhibition-gives-voice-to-domestic-abuse-survivors/1802146>.



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February 19, 2019

VIA EMAIL AND FIRST-CLASS MAIL

Eric B. Morse, Esq.
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Re: Your Letter on Behalf of Don McLean of February 15, 2019

Dear Mr. Morse:

I am responding on behalf of the *Free Press* to your recent letter objecting to its publication of statements about Don McLean by his ex-wife, Patrisha McLean. The statements appear in a February 7 article reporting on her efforts to raise awareness about domestic violence. Mr. McLean, your client, is the famous singer-songwriter best known for the hit "American Pie." He was arrested and charged with domestic violence assault and other crimes arising from an incident that took place in the McLean home in January 2016. He struck a plea agreement and was convicted of domestic violence criminal threatening, criminal mischief, and criminal restraint. The *Free Press* is a free weekly newspaper in Rockland, Maine founded in 1985.

The *Free Press* article reports on Patrisha McLean's photography/audio exhibit at the Camden Public Library, entitled "Finding Our Voices." The exhibit concerns the experience of women from all over Maine, in all walks of life breaking the silence about domestic abuse in their lives.¹

Because Don McLean is a public figure and the article in the *Free Press* concerns matters of public concern, the article is protected by the First Amendment and any lawsuit against the author or publisher would fail. See, e.g., *Pan Am Systems, Inc. v. Hardenbergh*, 871 F.Supp.2d 6 (D.Me. 2012) (recognizing constitutional protection for speech about public figures and concerning matters of public concern).

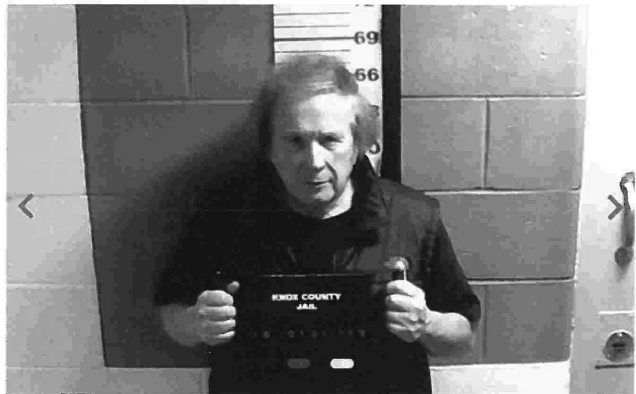
To be thorough, however, I will summarize your primary objections, followed by the reasons why they are factually groundless:

Statement #1. Referring to an incident at the McLean home in January 2016, you say that "Patrisha McLean did not 'lock herself in the bathroom ... [after being] pinned down on the bed, [being] hit and terrorized for hours.'" Patrisha McLean stands by her story about what Don McLean did to her that night. The *Free Press* is not liable for printing what Patrisha McLean says she went through. She is credible and her story is corroborated by law enforcement and court records.

Don McLean was arrested, charged with domestic violence assault (among other crimes), and pled guilty to several crimes arising from the January incident as part of a deferred disposition agreement. The *Free Press* reported these facts. He was also required to have his mental health evaluated and receive counseling. That the domestic violence assault charge was later dismissed under the terms of what was essentially a plea agreement does not mean that no assault took place.

Patrisha McLean divorced Don McLean and obtained protection orders against him, including an order barring him from contacting her for two years.

In addition, the *Free Press* is hardly the first newspaper to report on what Patrisha has had to say. Her story has been widely publicized locally, nationally, and internationally. In a report very similar to what the *Free Press* published, the *Bangor Daily News* published her allegation that Don McLean "had pinned her down and hit her for hours, leaving bruises on different parts of her body and refusing to let her to leave [sic] their shared residence on Hope Road in Camden, terrorizing her and threatening to kill her."² Don McLean's mugshot, released by the Knox County Jail, appeared in the press including in the *Bangor Daily News* (see image).



Courtesy of Knox County Jail

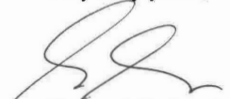
Statement #2. You say that "[t]here is absolutely no basis or justification" for the statement that Patrisha McLean hid "her secret for so many years." As mentioned above, the *Free Press* accurately reported what Patrisha says she went through. Her story is corroborated by law enforcement's response and related records. As mentioned, Don McLean was arrested, charged, and convicted of crimes related to domestic abuse. He is subject to an ongoing protection order.

Statement #3. You say that Patrisha McLean "should not have been part of the domestic violence exhibition, yet your article is primarily about her allegations." The *Free Press* is not responsible for her exhibit. It is being presented by the Camden Public Library. It is sponsored by the Maine Arts Commission and the Maine Coalition to End Domestic Violence, which are both highly reputable organizations. Neither is affiliated with the *Free Press*.

Conclusion

After review of this response, please immediately withdraw your letter. The *Free Press* had every right to publish what Patrisha McLean has to say, regardless of her ex-husband's objection, and the public deserves to have continued access to information about the "Finding Our Voices" exhibit at the Camden Public Library.

Very truly yours,


Sigmund D. Schutz

¹ See <http://librarycamden.com/event/behind-closed-doors-by-patrisha-mclean/>

² See <https://bangordailynews.com/2017/07/21/news/midcoast/don-mclean-pays-3660-to-end-domestic-violence-case/>

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February 15, 2019

Via email (publisher@freepressonline.com) and regular U.S. mail

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Dear Ms. McFadden and Mr. O'Brien:

Please be advised that I represent Don McLean. Your recent website posting and companion article "Patrisha McLean's New Exhibition Gives Voice to Domestic Abuse Survivors" by Andy O'Brien, contains false and extremely defamatory assertions about my client. Patrisha McLean did not "lock herself in the bathroom . . . [after being] pinned down on the bed, [being] hit and terrorized for hours." These are vicious misstatements. Your spreading of these false and salacious lies about Mr. McLean will cause him professional and personal damage, and must be taken down immediately.

Don McLean was not convicted of assault on Patrisha McLean, or of using any force at all. In fact, Mr. McLean never assaulted Patrisha McLean and was cleared of this allegation. These charges were all dismissed. As Patrisha McLean wrote to the local Maine news outlet, PenBayPilot.com, "Don has a big heart. [We] had many happy times in the 30 years of our marriage . . ." His children are prepared to testify that he was a tremendous father who dedicated his life to them and their mother.

No testimony about **any** abuse has ever been presented to the courts in Maine. Mr. O'Brien writes that Patrisha McLean wants to end "the shame and stigma for the victims." Ironically, the egregious lies contained in the article are calculated by *The Free Press* to publicly stigmatize Don McLean. This defames Mr. McLean's character and reputation.


Patrisha McLean was not "hiding her secret for so many years." There is absolutely no basis or justification for this statement that you publish as a fact. The parties had an amicable divorce that was based on irreconcilable marital differences. Their divorce agreement was not based on **any** allegations of abuse. Your statements are all lies - vicious, hurtful, damaging lies. It is critical to note that no one - family, friends, various employees of the couple - **no one** has come forward in the last three years to support or confirm a single negative statement or allegation by Patrisha McLean. This is because none of it happened.

Patrisha McLean should not have been part of the domestic violence exhibition, yet your article is primarily about her allegations. This is irresponsible journalism. Patrisha McLean is using *The Free Press* to print false, disparaging misrepresentations about Don McLean because she felt the "system" failed her. This is inappropriate. Patrisha McLean is now making these outrageous public claims to right the wrong she feels came from the system.

Without limiting any of Mr. McLean's rights and remedies, please consider this a demand to immediately take down this article from your website. In addition, if you do not cease and desist republishing defamatory statements that damage Mr. McLean's reputation and character, a lawsuit will be filed seeking monetary damages as well as pursuing all available legal remedies.

Thank you for your immediate attention to this request.

Sincerely,


Eric B. Morse