



STATE OF MAINE
PENOBSCOT, ss.

DISTRICT COURT
LOCATION: BANGOR
DOCKET NO. BANDC-PFH-2026-00180

JAMIE M. BECK,

Plaintiff,

v.

ADAM STADE,

Defendant.

DEFENDANT'S SPECIAL MOTION
FOR EXPEDITED RELIEF
UNDER 14 M.R.S. § 734 (ANTI-SLAPP)
DIRECTED TO PLAINTIFF'S
AMENDED COMPLAINT,
WITH INCORPORATED
MEMORANDUM OF LAW

1.0 Introduction

A politician asked a Court to issue an injunction censoring political satire and political reporting because the satire mocked her and the coverage criticized her.

In the United States of America.

Defendant Adam Stade filed an Anti-SLAPP motion under Maine's Anti-SLAPP law or UPEPA. Then Beck tried to "fix" her complaint by cutting out the portion about newsgathering, but doubling down on trying to get a court to shut down Stade mocking her with satirical political art. Political speech is at the heart of the First Amendment, and from the earliest days of our Republic, politicians and candidates for office have realized that part of getting in the arena is that they might be mocked. *Hustler Magazine, Inc. v. Falwell*, 485 U.S. 46, 54–55 (1988) ("Despite their sometimes caustic nature, from the early cartoon portraying George Washington as an ass down to the present day, graphic depictions and satirical cartoons have played a prominent role in public and political debate.").

Plaintiff Jamie Beck is a candidate for the Bangor School Committee,¹ and she is married to a sitting Bangor City Councilor. Adam Stade is a videographer for the Maine Wire, a media

¹ See *Bangor won't clarify if councilor's spouse can be sworn in to school committee*, Bangor Daily News (Sept. 2, 2026), <https://www.bangordailynews.com/2026/09/02/bangor/bangor-government/bangor-wont-clarify-councilors-spouse-school-committee-joam40zk0w/>. **Exhibit 1.**

organization that covers Maine and national politics. Mr. Stade published a satirical picture of the Becks on his Facebook page, depicting them as homeless drug addicts. Stade Decl. ¶ 10. He did that because Mr. Beck voted to import more drug addiction into Bangor and Ms. Beck seems to be connected to an organization that will profit from this, all at the expense of the citizens of Bangor.

The protection from harassment statute is not here to stifle criticism or political speech. This statute is for people who are being unlawfully harassed. It is not a tool for the politically connected to silence the press or to censor criticism. No matter how caustic speech may be, the definition of “harassment” excludes “any act protected by law.” 5 M.R.S. § 4651(2). Speech is “protected by law” unless it falls into one of the specifically enumerated exceptions to the First Amendment. Here, the “protected by law” status of satirical pictures of public officials is not just protected by law, but clearly established as such for generations.

To protect citizens from litigation abuse like this, Maine enacted the Uniform Public Expression Protection Act, 14 M.R.S. §§ 731–742 (“UPEPA” or “the Act”), which requires prompt dismissal, with prejudice and with mandatory fees, of any civil cause of action that targets speech on a matter of public concern and cannot meet its minimal merit standard. Mr. Stade invokes UPEPA to dismiss the Amended Complaint with prejudice, and for his costs, attorney’s fees, and expenses under 14 M.R.S. § 740.

This Court saw the satirical image three weeks ago. This Court came to the obvious conclusion that it was not a sex photo. (Order of Sept. 18, 2026). Beck now says that the image actually shows her engaged in a “sexual act.” (Am. Compl. Item 7.) Her Amended Complaint just re-describes an exhibit the Court already saw and rejected and adds an inapplicable adjective.

2.0 Facts

2.1 The Yellen Pines vote

The context of the photo matters, at least for the narrative.² Yellen Pines is a proposed 30-unit homeless project that will cost the taxpayers about \$11.2 million.³ On August 10, 2026, the City Council approved a 30-year tax deal for the project. Plaintiff's husband, Councilor Michael Beck (the other person in the image), voted for it. Residents objected so strongly that the Council called a special meeting on August 17, 2026, to *discuss* reconsideration. The Council voted immediately to reject reconsideration with Councilor Beck in the majority. The meeting was adjourned about twenty minutes after it began, and members of the public were not allowed to be heard.⁴ Stade Decl. ¶ 5. Ms. Beck was there with him. As the Becks left the Chambers, Maine Wire reporter Joe Sokol asked Councilor Beck about the vote, about his conduct toward the citizens who objected, and about Ms. Beck's ties to a nonprofit that stands to benefit from the project. Mr. Stade held the camera. Stade Decl. ¶¶ 6–9. The Becks refused to comment, and the exchange was published by the Maine Wire the next day.⁵ That is why Ms. Beck appears in the satirical image at all. She is not a bystander to this controversy. She is a participant in it and a candidate for office, and her integrity is a matter of public concern just as much as her husband's vote is.

² As a matter of law, it does not *really* matter. Mr. Stade can mock any public figure he wants, with or without a good reason. But since the Court should dismiss this case with prejudice and impose a sizeable fee award, the Court should have the comfort of knowing that when it does that, it will be defending political speech with a clear purpose.

³ See *Housing for homeless in Bangor moving forward despite some residents pushing back*, Bangor Daily News (Aug. 12, 2026), <https://www.bangordailynews.com/2026/08/12/bangor/bangor-government/housing-homeless-bangor-moving-forward-joam40zk0w/>. **Exhibit 2.**

⁴ See *Bangor's council holds firm on deal for homeless housing development*, Bangor Daily News (Aug. 17, 2026), <https://www.bangordailynews.com/2026/08/17/bangor/bangor-government/bangor-tax-deal-homeless-housing-development/>; *Bangor Council Approves 30-Year Tax Deal for Homeless Housing Despite Taxpayer Concerns*, The Maine Wire (Aug. 2026), <https://www.themainewire.com/2026/08/bangor-council-approves-30-year-tax-deal-for-homeless-housing-despite-taxpayer-concerns/>. **Exhibits 3–4.**

⁵ The full recording is available at <https://www.youtube.com/watch?v=OmaDyttJQ6A>.

2.2 September: The Satirical Image

Ms. Beck alleges that on September 12, 2026, Mr. Stade made an AI-generated caricature of her and her husband and published it on his Facebook page, with a note in the corner reading “This is satire by Adam Stade.” (Am. Compl. Item 7.) *He did.* Stade Decl. ¶ 12. She alleges that on September 14, 2026, he re-posted the same photo as his cover photo with the “This is satire by Adam Stade” mark removed. (*Id.*) *He did.* Stade Decl. ¶ 13.

2.3 The Complaint, the September 18 Order, and the Amended Complaint

Ms. Beck filed a Complaint for Protection from Harassment. On Sept. 18, 2026, before Stade could even respond, the Court wisely denied a temporary order. “The photographs provided with the application do not appear to show persons ‘in a state of nudity or engaged in a sexual act or engaged in sexual contact.’” (Order of Sept. 18, 2026.) A hearing was set for Oct. 7, 2026.

Mr. Stade then filed his motion under 14 M.R.S. § 734. It bears a file stamp of Oct. 6, 2026, at 1:52 p.m. At 9:18 p.m. on October 6, hours after Mr. Stade’s motion was filed, Ms. Beck filed an Amended Complaint which is stamped as filed on Oct. 7, 2026, at 9:16 p.m. She dated and signed it Oct. 5, 2026, and it was sworn on Oct. 6. The Amended Complaint rests on one satirical picture.

2.4 The Uniform Public Expression Protection Act (UPEPA)

The UPEPA “applies to a cause of action asserted in a civil action against a person based on the person’s” communication “on an issue under consideration or review in a legislative, executive, judicial, administrative or other governmental proceeding,” or the person’s “[e]xercise of the right of freedom of speech or of the press. . . guaranteed by the United States Constitution or by the Constitution of Maine, on a matter of public concern.” 14 M.R.S. § 733(2)(B)–(C). A party served with “a complaint, petition . . . or other pleading” asserting such a cause of action may file a special motion for expedited relief within 60 days. *Id.* § 734.

The motion proceeds in three steps. First, the movant shows that the Act applies, and the respondent may try to show that one of three narrow exceptions applies. *Id.* § 738(1)(A)–(B). Second, the plaintiff must “establish a prima facie case as to each essential element of the cause of

action.” *Id.* § 738(1)(C)(1). Third, even if she does, the Court must still dismiss if the movant shows that the complaint fails to state a cause of action or that he is entitled to judgment as a matter of law. *Id.* § 738(1)(C)(2). If the plaintiff fails at any step, the Court “shall dismiss with prejudice” the cause of action, or the offending part of it. *Id.* § 738(1).

The Act “must be broadly construed and applied to protect the exercise of the right of freedom of speech and of the press.” *Id.* § 741. Given the dearth of case law for this new Act, and the desire for uniformity with other states’ interpretations of the uniform act, the Legislature adopted the Uniform Law Commission’s official comments “as part of” the Act. P.L. 2023, ch. 626, §§ 5–6. This imports other states’ interpretations of their Anti-SLAPP laws, unless there are specific deviations in the Maine version. That is what the “Uniform” in the law’s title means.

3.0 Argument

3.1 The Act applies to this Complaint

3.1.1 A protection from harassment complaint is a covered civil action

Protection from harassment claims fall under UPEPA. The process is commenced by a “complaint.” 5 M.R.S. § 4653(1). The statute calls the proceeding “an action under this chapter,” *id.* § 4658(4), (5), and directs that “all proceedings shall be in accordance with the Maine Rules of Civil Procedure,” *id.* § 4658(1). Under those Rules there is “one form of action to be known as ‘civil action.’” M.R. Civ. P. 2. The Law Court reviews these complaints under Rule 12(b)(6) like any other. *Nadeau v. Frydrych*, 2014 ME 154, ¶¶ 5–8, 108 A.3d 1254. The comments adopted by the Legislature say that “civil action” is to be read as broadly as Fed. R. Civ. P. 1, and that the only thing the Act leaves out is criminal prosecution. UPEPA § 2 cmts. 3–4, adopted by P.L. 2023, ch. 626, § 6. The Act’s three exceptions are suits against the government, government enforcement actions, and a seller’s commercial speech, 14 M.R.S. § 733(3). None cover a harassment complaint against political speech, and the Act says that “journalistic” and “political” work is not commercial goods or services. *Id.* § 733(1).

The Uniform Act does not exempt protective-order cases. But when other legislatures adopted UPEPA, some unwisely chose to exclude protective-order cases. *See Minn. Stat.* §

554.08(c)(9) (excluding anti-harassment practice); *Wash. Rev. Code* § 4.105.010(3)(a)(ix) (same). Maine wrote no such exception in 2024, and in 2025 it made the Act broader, not narrower. P.L. 2025, ch. 403, §§ 2–4. There is good reason for that. A harassment petition is the cheapest prior restraint available to someone who seeks censorship, and the consequence for violating it is jail. California, whose Anti-SLAPP decisions the adopted comments cite throughout, recognized twenty years ago that “resort to the courts’ injunctive powers to stifle speaking out on public issues” is the Anti-SLAPP plaintiff’s “reserve arsenal,” and held that the Anti-SLAPP statute applies to civil harassment petitions. *Thomas v. Quintero*, 126 Cal. App. 4th 635, 652, 657 (2005); see also Aaron H. Caplan, *Free Speech and Civil Harassment Orders*, 64 HASTINGS L.J. 781 (2013); Eugene Volokh, *One-to-One Speech vs. One-to-Many Speech, Criminal Harassment Laws, and “Cyberstalking,”* 107 Nw. U. L. Rev. 731 (2013).⁶

3.1.2 The claim is based on speech on a matter of public concern

The first step “focuses on the movant’s activity, and whether the movant can show that it has been sued for that activity.” UPEPA § 2 cmt. 1. A movant can carry that burden with the other side’s pleading alone. *Id.* § 7 cmt. 2. Ms. Beck’s pleading does a great job of proving that burden is met. Every “act” she lists is merely publication of a satirical cartoon. If one were teaching a CLE course on how to use the UPEPA and one wanted to make the lesson so obvious that the least attentive lawyer in the course would get it, this would be a perfect hypothetical.

Caricature of public figures has been a quintessentially American way of mocking politicians since before there was a First Amendment. *Hustler*, 485 U.S. at 53–54 (“*Webster’s defines* a caricature as ‘the deliberately distorted picturing or imitating of a person . . . by exaggerating features or mannerisms for satirical effect.’”). Maine’s Constitution is more protective of these activities than even the First Amendment: “Every citizen may freely speak,

⁶ Professor Volokh has catalogued roughly 200 such orders, many entered against unrepresented defendants or by default, and many of them restricting nothing more than criticism of public officials. See Eugene Volokh, *Overbroad Injunctions Against Speech (Especially in Libel and Harassment Cases)*, 45 Harv. J.L. & Pub. Pol’y 147 (2022), https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2022/07/VOLOKH_VOL45_ISS1-UPDATED.pdf (collecting, among others, an injunction prohibiting a critic from posting anything related to a state senator).

write and publish sentiments on any subject,” and “no laws shall be passed regulating or restraining the freedom of the press.” Me. Const. art. I, § 4.

This is speech on a matter of public concern, and on “an issue under consideration or review” in a governmental proceeding. 14 M.R.S. § 733(2)(B), (C). Speech addresses a matter of public concern when it can “be fairly considered as relating to any matter of political, social, or other concern to the community,” or when it “is a subject of legitimate news interest.” *Snyder v. Phelps*, 562 U.S. 443, 453 (2011) (citations omitted); UPEPA § 2 cmt. 9. This is satire of a sitting City Councilor and a candidate for office portraying them as the very kind of people they want to fund in Bangor — homeless drug addicts. The Councilor supported an \$11.2 million homeless drug addict project and a thirty-year tax commitment, and he grew angry at a meeting that ended with residents still trying to speak. He is in the image. Ms. Beck is a candidate for office and has an apparent conflict of interest in Mr. Beck’s vote. When questioned, they refused to comment.⁷ Stade Decl. ¶ 9. This is about as public as local political concerns get. The First Amendment “has its fullest and most urgent application precisely to the conduct of campaigns for political office.” *Monitor Patriot Co. v. Roy*, 401 U.S. 265, 272 (1971). Ms. Beck does not get to override a generation of First Amendment jurisprudence because she claims to be bothered by being criticized.

3.1.3 The Media v. Citizen Debate

In her Amended Complaint, Beck presents a new legal theory, one that has no basis in law. She says that Mr. Stade posted “on his personal page,” “not as media speech,” and so it served “no public or newsworthy purpose.” That is not how the First Amendment works. Speech is no less protected if it is in a single copy of a pamphlet made at someone’s home, or if it is on the front page of a newspaper. The First Amendment applies equally to everyone. And a mocking caricature of a sitting Councilor and a School Committee candidate, published over a public debate about that Councilor’s vote on an \$11.2 million housing deal and his wife/candidate’s conflicts of

⁷ See *supra* note 6.

interest, serves a public purpose no matter how the satirist publishes it. Mr. Stade could have drawn it on a bar napkin or published it in the New Yorker. Political speech is political speech.

UPEPA protects “freedom of speech or of the press,” 14 M.R.S. § 733(2)(C), and treats “political” expression the same as “journalistic.” *Id.* § 733(1). The press clause has never been the exclusive province of the corporate-owned press. *Lovell v. City of Griffin*, 303 U.S. 444, 452 (1938); *Branzburg v. Hayes*, 408 U.S. 665, 704 (1972); *Citizens United v. FEC*, 558 U.S. 310, 352 (2010). If we accept Beck’s position, a citizen has less of a right to mock his government if he speaks in his own name than if he speaks for a corporation. This is an unsupportable position, and a bizarre twist of the logic in *Citizens United*.

3.1.4 The Amendment focuses the case on its weakest point

The Amended Complaint should be a nullity. The stay attaches “on the filing of a motion under section 734,” and it stays “[a]ll other proceedings between the moving party and responding party.” 14 M.R.S. § 735(1)(A). Mr. Stade’s motion was on file hours before Ms. Beck filed her Amended Complaint. UPEPA is based on California law, and that is why the adopted comments to the statute follow California decisions. California’s case law says that a plaintiff may not amend her way out of an Anti-SLAPP/UPEPA motion, because that “would totally frustrate the Legislature’s objective of providing a quick and inexpensive method of unmasking and dismissing such suits.” *Simmons v. Allstate Ins. Co.*, 92 Cal. App. 4th 1068, 1073–74 (2001); *accord Salma v. Capon*, 161 Cal. App. 4th 1275, 1280 (2008).

Nevertheless, the Court may find the practice of a “race to the courthouse” to be unsporting. Stade does not care one way or the other. Decide the first UPEPA motion on the initial Complaint or decide this motion striking the Amended Complaint. In either event, this matter is over and Ms. Beck is on the hook for *all* the fees. The parts of the initial Complaint that Beck abandoned do not vanish, and neither do the consequences of asserting them in the first place. A voluntary dismissal of “part of a cause of action” establishes that Stade prevailed on those parts. 14 M.R.S. § 738(2)–(3). By conceding half of the Complaint with an Amended Complaint, Beck has effectively stipulated to half of Stade’s UPEPA motion.

3.2 Ms. Beck cannot establish a *prima facie* case

Ms. Beck proved prong one for the Court. She now must come forward with evidence that, if believed, would satisfy “each essential element” of her cause of action. 14 M.R.S. § 738(1)(C)(1); UPEPA § 7 cmt. 4.

Ms. Beck sought no notice under 17-A M.R.S. § 506-A “because the [so called] harassment meets the definition in 5 M.R.S. § 4651(2)(C).” She checked none of the alternatives that Item 5(b) offers — not domestic violence, not violence by a dating partner, not sexual assault, not stalking, and not harassment under 17-A M.R.S. §§ 506(1)(A-1) or (A-2). For her to win, the picture must violate 17-A M.R.S. § 511-A. 5 M.R.S. §§ 4651(2)(C), 4653(1)(B). If it does not, there is no (2)(C) harassment and the case is over. The Court already resolved this the first time it looked at the picture on September 18. Beck adds nothing new except new adjectives to describe the satirical image.

3.2.1 *The Satirical Image contains neither nudity nor sexual conduct*



*This is not a sexual act.
If it is, it is not one with which the defendant is familiar*

A Venn diagram of the image and the statute’s definitions would be two independent circles, not even near each other. Section 511-A borrows its definitions from sexual assault law. A

“sexual act” requires contact between the genitals of one person and the genitals, mouth or anus of another, or genital or anal contact with an instrument. 17-A M.R.S. §§ 511-A(3)(A), 251(1)(C). “Sexual contact” requires touching the genitals or anus. *Id.* §§ 511-A(3)(B), 251(1)(D). A “state of nudity” requires exposed or transparently clothed genitals, pubic area, anus or the female breast. *Id.* § 511-A(3)(C). We have none of that here.

Beck argues that “sexual act” also reaches “[s]imulated sexual acts.” 17-A M.R.S. § 511-A(3)(A)(4). That does not help her quest to censor a satirical image of herself and her politician husband. An image of two clothed politicians is not a depiction of a “sexual act.” If Beck’s reading were valid, it would criminalize every editorial cartoon that draws two politicians in bed together. And if it does reach that, Mr. Stade challenges the statute’s constitutionality both facially and as applied. He raises that challenge below, and neither abandons nor waives it.⁸

This Court already looked at the image and found what any reasonable viewer would know is obvious. It does not “appear to show persons ‘in a state of nudity or engaged in a sexual act or engaged in sexual contact.’” (Order of Sept. 18, 2026.) Nothing changed.

When the Legislature extended § 511-A to deepfake images in 2025, it kept the same line: the image must appear to show nudity, a sexual act, or sexual contact. P.L. 2025, ch. 400, §§ 2–3. A satirical picture that shows two clothed politicians as drug addicts does not even begin to enter the same galaxy as a “sexually explicit” image.

3.2.2 *Other people’s comments about the image*

Beck presents two comments by unknown strangers: “*Almost looks too real to be satirical*” and “*Does she have a strap on?*” First Amendment protection for satirically mocking a public figure does not turn on the audience’s reaction to it. *Hustler*, 485 U.S. at 55–56. The comments are unauthenticated anonymous hearsay and are not evidence the Court may consider. 14 M.R.S. § 737. But if the Court wants to set that aside, the comments only hurt Beck’s legal position further.

⁸ Stade recognizes that if the Court rules in his favor, he *might* no longer have standing to challenge the statute’s constitutionality.

The statute applies to what is in the image, not what is in the spectators’ imaginations. 17-A M.R.S. § 511-A(1). Both of these comments support Mr. Stade’s position anyway. One correctly calls the image *satire*. The other is a question, asking if Ms. Beck has a strap-on. It does not say that she has one in the image. Does she *have* one? Stade does not care if she does or not. The question, to the extent it is even worthy of being considered, establishes that there clearly is *not* a strap-on in the image. Of course, just looking at it establishes that, too.

3.2.3 *Intent, and the image that “remain[s] accessible”*

Beck still fails to allege a single communication uttered *to her*, rather than just about her. *Cf. Chan v. Ellis*, 296 Ga. 838, 841, 770 S.E.2d 851, 854 (2015) (communication about a person but not directed to the person is not harassment). Beck’s only argument supporting (well, trying to support) intent to “harass and torment” is that Stade removed the “satire” label. Satire does not require a warning label. “Parody serves its goals whether labeled or not, and there is no reason to require parody to state the obvious (or even the reasonable).” *Campbell v. Acuff-Rose Music, Inc.*, 510 U.S. 569, 583 n.17 (1994). The statute requires intent to harass, torment or threaten. It does not apply to an intent to mock a public figure. If it did, the statute would be unconstitutional, because mocking public figures is protected by the First Amendment. *Hustler*, 485 U.S. at 53–55.

A caricature of a Councilor and a candidate, posted in the middle of a public fight over the Councilor’s vote and the candidate’s conflicts of interest, has an obvious “public or newsworthy purpose.” In *Hustler*, the Supreme Court protected a parody that described Jerry Falwell losing his virginity to his mother in a filthy outhouse while they were both drunk on Campari. In a unanimous decision, the Supreme Court held that the parody was “gross and repugnant in the eyes of most” and that it was meant to wound. 485 U.S. at 50, 53. Nevertheless, with no dissent, the Supreme Court recognized that the First Amendment protected this kind of expression, because “[t]he appeal of the political cartoon or caricature is often based on exploitation of unfortunate physical traits or politically embarrassing events — an exploitation often calculated to injure the feelings of the subject of the portrayal.” *Id.* at 54. If Jerry Falwell had to put up with that, a candidate for the Bangor School Committee can put up with this.

3.2.4 *The remaining definition of harassment, and the relief Beck requests*

The Amended Complaint pleads nothing close to “[t]hree or more acts of intimidation, confrontation, physical force or the threat of physical force.” 5 M.R.S. § 4651(2)(A). Beck conceded the newsgathering issues and the Maine Wire’s report. Yet she still asks the Court to enter an injunction against Mr. Stade. (Am. Compl., Request for Relief (b)–(e).) Nothing in her Amended Complaint says he has ever even gone near her, followed her, talked to her, or touched her property. The threshold statutory basis is not met.

3.2.5 *Every act alleged remains “protected by law”*

The definition of “harassment” excludes “any act protected by law.” 5 M.R.S. § 4651(2). That exclusion applies to the (2)(C) definition as much as to the (2)(A). Publishing satire about a sitting City Councilor and a candidate for office is protected by the First Amendment.

Speech loses its protection only in a few “well-defined and narrowly limited classes.” *Chaplinsky v. New Hampshire*, 315 U.S. 568, 571–72 (1942). The one that matters in harassment cases is the “true threat”: a “serious expression conveying that a speaker means to commit an act of unlawful violence.” *Counterman v. Colorado*, 600 U.S. 66, 74 (2023) (cleaned up). Even then the First Amendment requires proof that the speaker was at least reckless about the threatening character of his words. *Id.* at 69. The Law Court agrees that what falls outside the Constitution is “speech as part of conduct designed to threaten or harm other individuals.” *Childs v. Ballou*, 2016 ME 142, ¶ 15, 148 A.3d 291. Ms. Beck alleges no threat, just a satirical picture mocking her and her City Councilor husband.

A politician did not like political speech. That is it. “[S]peech cannot be restricted simply because it is upsetting or arouses contempt.” *Snyder*, 562 U.S. at 458. Debate on public issues is supposed to be “uninhibited, robust, and wide-open,” and it “may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.” *N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964). Public debate “is often vituperative, abusive, and inexact.” *McBrearty v. Brewer Sch. Dep’t*, 783 F. Supp. 3d 394, 410 n.10 (D. Me. 2025) (quoting *Watts v. United States*, 394 U.S. 705, 708 (1969)).

3.2.6 Stade challenges the constitutionality of the statutes

In the unlikely chance that this Court finds that these acts meet the threshold for harassment, or that the image fits § 511-A, Mr. Stade challenges the constitutionality of both statutes. In Mr. Stade’s career as a journalist, he depends on clear definitions. A criminal statute is unconstitutionally vague when a person “of ordinary intelligence” could not “reasonably understand” that the actor’s conduct was prohibited. *United States v. Harriss*, 347 U.S. 612, 617 (1954). Here, Mr. Stade published satirical art. Stade Decl. ¶ 18. As such, should this Court contradict the existing finding that Mr. Stade did not harass Ms. Beck, then Maine’s definition of “harassment” is unconstitutional. If § 511-A reaches satirical political speech, it violates the First Amendment and the Maine Constitution and should be struck down facially, or at least as applied.

3.3 The Complaint fails as a matter of law because it seeks a prior restraint

Even a plaintiff with a *prima facie* case loses if the movant shows that the complaint fails to state a claim on which relief can be granted. 14 M.R.S. § 738(1)(C)(2)(a). This one does. The statute does not even authorize such an order. The removal remedy exists only “[w]ith respect to unauthorized dissemination of certain private images as described in Title 17-A, section 511-A.” 5 M.R.S. § 4655(1)(G). This is not such an image. But even if the statute authorized the order, the relief would fail as a matter of law, because it is an unlawful prior restraint.⁹

Ms. Beck asks the Court to order Mr. Stade to take down his cartoon and “not to disseminate” it “at any time in the future.” That is an injunction against publication, entered before any court has found the publication unlawful. This is a prior restraint, “the most serious and the least tolerable infringement on First Amendment rights.” *Neb. Press Ass’n v. Stuart*, 427 U.S. 539, 559 (1976); *see also Alexander v. United States*, 509 U.S. 544, 550 (1993) (prior restraints are “judicial orders forbidding certain communications when issued in advance of the time that such

⁹ The statute has never been interpreted to permit prior restraints, but if it is, then Mr. Stade additionally challenges the constitutionality of such relief, and specifically reserves this argument for his appeal to the Law Court or for a federal challenge.

communications are to occur”); *Near v. Minnesota*, 283 U.S. 697, 713–15 (1931). “No prior decisions support the claim that the interest of an individual in being free from public criticism . . . warrants use of the injunctive power of a court.” *Org. for a Better Austin v. Keefe*, 402 U.S. 415, 419 (1971). The First Circuit vacated an injunction that barred a defendant from repeating statements a jury had already found defamatory. *Sindi v. El-Moslimany*, 896 F.3d 1, 30–36 (1st Cir. 2018). Ms. Beck wants more than even that plaintiff got, on a far thinner record. As the Texas Supreme Court put it, quoting Walter Sobchak, “the Supreme Court has roundly rejected prior restraint.” *Kinney v. Barnes*, 443 S.W.3d 87, 91 n.7 (Tex. 2014) (quoting *The Big Lebowski*).

Her last new allegation is that Mr. Stade replaced his cover photo but the images “remain accessible” on his Facebook profile. But this argument is the most damning evidence of Beck’s unconstitutional intent, since it makes it clear what she is after: She wants a court to order a citizen to delete a political cartoon and never publish it again. That is a prior restraint. *Neb. Press Ass’n*, 427 U.S. at 559. Any such order would be so unconstitutional that Stade could challenge it in any contempt proceeding, rather than obeying the order and then appealing. *In re Providence Journal Co.*, 820 F.2d 1342, 1346–53 (1st Cir. 1986), modified on reh’g, 820 F.2d 1354 (1st Cir. 1987) (en banc), cert. dismissed sub nom. *United States v. Providence Journal Co.*, 485 U.S. 693 (1988) (collateral bar rule does not apply to a transparently invalid prior restraint, so a publisher may violate the order and challenge its constitutionality in the contempt proceeding).¹⁰

¹⁰ An order of this kind does not stay local. A Massachusetts order directing a defendant not to “post any further information” about the plaintiff drew national attention and amicus briefing before it was vacated. See Eugene Volokh, *Appellate Argument Today as to the Order That Eron Gjoni “Not . . . Post Any Further Information” About Zoë Quinn*, Reason (Mar. 18, 2016), <https://reason.com/volokh/2016/03/18/appellate-argument-today-as-to/> (collecting trial court orders of this kind, “which were either unappealed or reversed on appeal”). Even after a jury found a defendant liable for defamation and for promoting an altered sexual depiction, a court refused to enjoin her future speech, calling the requested relief “a classic example of a prior restraint on speech.” *Pete v. Cooper* (S.D. Fla. Apr. 20, 2026) (Altonaga, C.J.), <https://storage.courtlistener.com/recap/gov.uscourts.flsd.677846/gov.uscourts.flsd.677846.315.0.pdf>.

3.4 Mr. Stade is entitled to his costs, fees, and expenses

The Court “shall award court costs, attorney’s fees and reasonable litigation expenses related to the motion.” 14 M.R.S. § 740(1). Neither a voluntary dismissal nor an amendment can avoid it. *Id.* § 738(2)–(3). Mr. Stade will submit a fee application after the Court rules.

4.0 Conclusion

Ms. Beck waived half of her claim and doubled down on the worst one. The Court should grant this Motion, whether it accepts the Amended Complaint or holds her to her initial Complaint. Both suffer from the same fatal constitutional and statutory flaws. The Court must dismiss them with prejudice, and award Mr. Stade his costs, attorney’s fees and expenses under § 740, including those incurred on the withdrawn allegations.

Dated: October 9, 2026.

Respectfully submitted,

/s/ David R. Gordon

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NOTICE

Matter in opposition to this motion pursuant to M.R. Civ. P. 7(c) must be filed not later than 21 days after the filing of this motion unless another time is provided by the Maine Rules of Civil Procedure or set by the Court. Failure to file timely opposition will be deemed a waiver of all objections to the motion, which may be granted without further notice or hearing.



Exhibit 1

Bangor Daily News Article:
“Bangor won’t clarify if councilor’s spouse
can be sworn in to School Committee”



54 ° F

Bangor

Bangor won't clarify if councilor's spouse can be sworn in to School Committee

by **Annie Rupertus**

September 2, 2026



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Jamie Beck, seen in this November 2024 photo, is running for Bangor School Committee in 2026. Her husband is City Councilor Michael Beck. Credit: Linda Coan O'Kresik / BDN



Listen now:

Bangor won't clarify if councilor's spouse can b

About 4 Minutes

1x



Everlit

The spouse of a Bangor City Councilor qualified for this year's School Committee ballot, but it's unclear whether she can be sworn in because of vague guidance in the city's charter.

Jamie Beck, wife of City Councilor Michael Beck, is one of just three candidates who qualified to run for three open seats on the School Committee.

Article four of Bangor's charter states, "No immediate family member of a sitting City Councilor shall serve on any board, committee or commission of the City of Bangor during the City Councilor's term." The provision defines immediate family member as a spouse, child, sibling or domestic partner.

That appears to bar a councilor's spouse from serving on the School Committee — although precedent says otherwise, as School Committee member Ben Sprague served for two years while his father, Jonathan Sprague, was a city councilor, just a few years ago.

Jamie Beck's candidacy in the uncontested election highlights a vague point in Bangor's rules that the city has been unwilling to clarify and leaves significant questions about what could happen to the School Committee seat if she isn't sworn in.

Asked about the rule, city spokesperson David Warren said, "It's the opinion of the City's Legal Department that Article IV of the City Charter does not technically prevent an immediate family member of a sitting City Councilor from being placed on the ballot."

Warren did not answer detailed questions about whether Beck would be able to take office, how the city would fill a vacant seat if she isn't sworn in, and why the Spragues were allowed to serve overlapping terms.

A spokesperson for the Maine Municipal Association declined to comment.

The city's governing documents are inconsistent in terms of whether the School Committee is included under the category of "any board, committee or commission of the City of Bangor." The **chapter** of the city's code

titled, "Boards, Committees and Commissions" does not mention the School Committee; however, the committee is included under the definition of "board" in a **different section** of the code.

Beck believes that the rule was not intended to apply to the School Committee.

Unlike other city boards like the Board of Ethics or the Parks and Recreation Committee, whose members are appointed by the council, School Committee members are elected separately by the public.

"Each body is independently elected and each body has their own code of ethics," Beck said, adding that the previous paragraph in the charter mentions the School Committee by name separately.

Beck said she's proceeding now with the understanding that she'll be on the ballot and working to "see how best I can help serve the school department and the superintendent."

Although the rule barring family members from serving on city boards has been in place for more than a decade, Ben Sprague was sworn in as a School Committee member in 2021 while Jonathan Sprague served a City Council term from 2020 to 2023. Neither responded to requests for comment Tuesday.

Clare Davitt, who sat on the City Council from 2017 to 2023, told the Bangor Daily News that she's not sure why the city solicitor, city manager or council chair at the time didn't bring up the charter rule when the Spragues served.

"I regret not raising the issue publicly," Davitt said.

The provision was originally added to the charter as part of a **package of amendments approved by voters** in 2010. Many of those changes, such as updates to the process for recalling elected officials, were recommended by a citizen review committee, but the rule about family members serving on city boards was added later in the process by city councilors at the time.

The addition of the measure was **seemingly directed** at then-Councilor Geoff Gratwick, whose wife, Lucy Quimby, served on citizen committees.

While it appears the city will allow Beck to be on the ballot in November, it's unclear what will happen if she is ultimately not allowed to serve.

The charter does not clearly outline how seats should be filled when there aren't enough eligible candidates to fill the number of open seats, although it does say that vacancies "caused by the death, resignation, removal from the City or removal from office of any member of the City Council or School Committee" may be filled at the next regular election or via special election, at the discretion of the City Council.

That suggests the School Committee could have an unfilled seat for the upcoming year, which is set to be a pivotal one for the committee as it moves toward a decision on whether to preserve Bangor's neighborhood school system or consolidate schools in the face of declining enrollment and aging facilities.

"It's unfortunate that more people didn't want to step up to serve and be part of our school committee," Beck said. "It's a really important role to fill in our community. Our children are our greatest asset and biggest investment."



Exhibit 2

Bangor Daily News Article:
“Housing for homeless in Bangor
moving forward despite push back”



54 ° F

Bangor

Bangor's council holds firm on deal for homeless housing development

by **Annie Rupertus**

August 17, 2026

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Some community members showed up to a special meeting of the Bangor City Council on Monday with signs in support of the Yellen Pines housing project. Credit: Annie Rupertus / BDN

The Bangor City Council is standing by its tax reimbursement deal for a 30-unit permanent supportive housing development after striking down a push to reconsider.

The council already approved the deal last week. It held a special meeting Monday to reconsider, but that effort failed in a 7-2 vote.

The Yellen Pines development, which will provide housing and 24/7 supportive services for people who have been chronically homeless in Bangor, has been the subject of heated public debate in recent weeks at city meetings and online, and Monday's meeting became chaotic after residents in attendance were not offered the chance to weigh in.

The deal includes the creation of a tax increment financing district, or TIF district, and an accompanying credit enhancement agreement that directs the city to reimburse 75% of the property taxes paid by the Yellen Pines facility for a 30-year period.

Councilors voted 6-3 last week in favor of the deal. Council Chair Susan Hawes was the only councilor who switched sides Monday, voting not to reconsider the initial decision she had previously opposed.

Also voting not to reconsider the deal were Michael Beck, Daniel Carson, Susan Deane, Susan Faloon, Joe Leonard and Angela Walker.

“This is something our city is badly in need of,” Deane said of the housing project.

Carson noted that he’d already secured an amendment to the order before it passed, allowing the city manager to place conditions on the credit enhancement agreement when it’s drafted, and suggested that the council discuss those conditions at its workshop next week.

Councilors Carolyn Fish and Wayne Mallar, both critics of the deal from the get-go, voted in favor of reconsideration.

Pushback against the project has included qualms about housing that offers treatment for mental health and substance use disorder as an option rather than a requirement. Some community members said they don’t believe the apartment building is worth sacrificing potential tax revenue.

The land on Corporate Drive where the developer, the Bangor Housing Development Corporation, plans to build the housing is currently empty and not generating tax revenue, but the city has estimated that the project would generate about \$46,000 in taxes each year — meaning about \$34,500 per year would be reimbursed back to the project.

The council voted nearly immediately after opening the special meeting, and the motion to reconsider the deal was the only agenda item.

Despite the relatively short notice for the meeting, the council chambers were nearly full, and clearly residents on both sides of the issue had shown up in force. Some brought signs with messages like “Bangor needs housing.”

After the vote concluded, chatter grew louder in the room. Mallar leaned over to Hawes, who was sitting next to him, and asked, “Did we call for public comment?” Hawes replied that she did not.

City policy states that general public comment periods will not be held at special meetings “unless it is required by law or contains a public hearing agenda item specifically.”

Numerous residents began talking in the gallery and addressing the council, arguing that the council should have asked for public comment.

“The vote is finished now,” City Solicitor David Szewczyk said, noting that the council already held public hearings on the item last week.

Community members continued speaking as Beck tried to prompt Hawes to respond to the chaos in the room. When the chatter continued, Szewczyk added, “Chair, we can’t have the public running the meeting. The council has to run the meeting.”

Hawes called the meeting adjourned — about 20 minutes after it began — at which point many residents got up to leave.

“You guys are a clown show,” one person said as they walked out.



Exhibit 3

Bangor Daily News Article:
“Bangor’s council holds firm on deal
for homeless housing development”



55 ° F

Bangor

Housing for homeless in Bangor moving forward despite push back

by **Annie Rupertus**

August 12, 2026

23

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Michael Myatt, executive director of BangorHousing, walks through the new construction of Sunridge Senior Housing, a 50-unit senior living complex on Sunset Avenue in Bangor, in September 2025. Credit: Linda Coan O'Kresik / BDN



Listen now:

Housing for homeless in Bangor moving forward

About 6 Minutes

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Everlit

A 30-unit permanent supportive housing facility for homeless residents is moving forward after Bangor City Council approved a property tax reimbursement Monday that will help the project overcome a funding gap.

Under the approved tax increment financing district, or TIF district, and accompanying credit enhancement agreement, the city will reimburse 75% of the property taxes paid by the Yellen Pines facility for a 30-year period.

The housing project is moving forward while some residents push back, part of a growing sentiment of distrust for homeless service providers and nonprofits among a subset of the Bangor community. Some

community members expressed that they don't believe the apartment building is worth sacrificing potential tax revenue.

Yellen Pines will offer studio apartments for people who have been chronically homeless in Bangor with 24/7 services on site to help residents get health care and substance use treatment and readjust to living indoors. The Bangor Housing Development Corporation plans to build it on Corporate Drive, near the former site of a large homeless encampment known as Tent City.

The project, which is primarily funded by a state grant, has been delayed due to difficulties finding enough money. Bangor has not contributed any grants toward the project, but the tax reimbursement will allow the developer to "borrow more money to help pay for things that are expensive with this project," Mike Myatt, its director, said during a committee meeting last week.

"We're not asking for capital dollars," he said. "We are asking for very precious taxpayer dollars, but we feel that that investment from the city in Yellen Pines will come back in savings" in costly police, jail and other expenses that weigh on cities with large homeless populations. Myatt told councilors the project would not be able to move forward without the TIF and credit enhancement agreement.

The estimated cost to build Yellen Pines is \$11,185,881, and the developer is short \$1,205,211 in funding, according to a June memo from Biguita Hernandez-Smith, an economic development officer for the city.

The city estimated that the building will generate about \$46,000 in taxes each year, according to the memo. Under the tax agreement, the city will reimburse 75% — about \$34,500 — to the project while keeping about \$11,500 within the city's affordable housing TIF district fund for other initiatives. That's about \$1,035,000 in reimbursements over 30 years.

Councilor Michael Beck noted that the city would not generate any tax revenue from the property if Yellen Pines was not built and the land continued to sit empty.

“It’s been sitting dormant for how long? I mean, there’s no projects waiting in the wings, just dying for that land with something that’s going to move this city forward,” he said.

The developer, a nonprofit partner agency of the Bangor Housing Authority, was approved for an option agreement to purchase the land from the city for \$120,000 in October.

Monday’s council meeting was crowded, and four community members spoke in favor of the agreement for Yellen Pines during public hearings while six spoke against it. Some said they thought the project was too expensive and argued against sacrificing any tax revenue for it.

“That’s a lot of money for the taxpayers to give up,” Councilor Carolyn Fish said during Monday’s workshop. She also said she opposed the agreement because she couldn’t be sure that Yellen Pines would be limited only to people who are from Bangor.

Myatt said in several workshops that while he couldn’t say how many of the building’s residents would be from Bangor, they would be chosen based on the people who already interact with Bangor service providers and have the highest need.

Michael Furrow, a resident who has taken out papers to get on the city council ballot this fall, argued that the developer profits from the “homeless industrial complex” and suggested that the people who would be housed at Yellen Pines are “individuals who have no hope of recovery.”

Some at the meeting, including Councilor Wayne Mallar, also expressed concerns about substance use on the premises. Myatt said that while it's possible residents might use drugs in their private apartments, "the whole point of having the wraparound services is that Preble Street will be there to encourage folks to not do that."

Both parts of the tax deal were approved in 6-3 votes, with councilors Michael Beck, Daniel Carson, Susan Deane, Susan Faloon, Joe Leonard and Angela Walker voting yes. Councilors Carolyn Fish, Susan Hawes and Mallar voted no.

Hawes, the council chair, did not say why she voted no, nor did she answer a phone call Tuesday seeking comment on her vote.

Some of the project's criticism from the public mirrored the Trump administration's approach to homelessness as the president has, through executive orders and changes to funding structures within the U.S. Department of Housing and Urban Development, worked to drastically shift programs away from the longstanding Housing First model and toward treatment-based programs with work requirements.

In one of the stranger moments of the meeting, resident Suzette Furrow said she worried about pedophiles living in the apartment building. Myatt later approached the public comment podium to state simply, "we will not be housing pedophiles at Yellen Pines."

Others were more supportive, saying the project would have far-reaching effects in the city such as savings in law enforcement and emergency services costs and helping people maintain housing after getting off the streets.

"We see individuals move into housing and then sometimes return to homelessness because they don't have the ongoing support they need to be successful," Jennifer Lolar, Maine's homeless response hub coordinator for the Bangor region, said. "When people have the tools to remain housed, it allows shelters, outreach teams, and other providers to focus their limited resources on those who are still experiencing homelessness."

The building is expected to open by the end of 2027. There are several other housing projects with similar tax agreements in the city, including two market rate residential properties on State Street and the senior apartment project Milford Place, Anne Krieg, the city's community and economic development director, said during a workshop Monday.

Once residents move into Yellen Pines, property-related expenses will be paid for with revenue from rents, which will be partially subsidized by housing vouchers, Myatt explained at a city council committee meeting last week. The 24/7 services provided by the Portland-based nonprofit Preble Street will be funded through the state with revenue from the real estate transfer tax.

Bangor was also awarded state funding earlier this year to build a second permanent supportive housing project, although planning for that is still in the early stages.



Exhibit 4

Maine Wire Article:

“Bangor Council Approves 30-Year Tax Deal for
Homeless Housing Despite Taxpayer Concerns”



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CRIME

Bangor Council Approves 30-Year Tax Deal for Homeless Housing Despite Taxpayer Concerns

BY **JON FETHERSTON** — AUGUST 11, 2026 — UPDATED: AUGUST 11, 2026 — 7 COMMENTS — 10 MINS READ



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Hawes, Fish and Mallar oppose Yellen Pines deal as residents question costs, drug use and long-term financial risk

BANGOR, Maine — The Bangor City Council voted 6-3 Monday night to approve a controversial 30-year tax arrangement for a permanent supportive housing development intended for some of the city's chronically homeless population, despite warnings from residents and three councilors that Bangor taxpayers could be assuming a costly long-term obligation without enough financial certainty.

Council Chair Susan Hawes and Councilors Carolyn Fish and Wayne Mallar voted against both the credit enhancement agreement and creation of the tax increment financing district for Yellen Pines, a proposed 30-unit permanent supportive housing development at 205 Corporate Drive.

Councilors Michael Beck, Daniel Carson, Susan Deane, Susan Faloon, Joseph Leonard and Angela Walker voted in favor.

The Bangor Housing Development Corporation project is intended to house 30 people experiencing chronic homelessness, with Preble Street expected to provide around-the-clock supportive services.

Under the agreement approved Monday, 75 percent of the property tax increment generated by the development would be returned through the credit enhancement agreement for 30 years.

That three-decade commitment became the centerpiece of a lengthy and at times contentious public debate over how far Bangor should go financially to address homelessness, and whether city taxpayers are being asked to shoulder responsibilities that should fall more heavily on state government, surrounding municipalities and private organizations.

Bangor resident Hillary Simmons urged councilors to delay the agreement until taxpayers receive a more complete accounting of its potential costs.

"This is not about opposing affordable housing or helping people experiencing homelessness," Simmons said. "This is about fiscal responsibility and whether Bangor should make a 30-year financial commitment without first providing taxpayers with a complete financial picture."

Simmons pointed specifically to Logan Place, a permanent supportive housing development in Portland that supporters have cited as evidence that the model can reduce police, ambulance, jail and emergency health care usage.

According to Simmons, Logan Place received \$435,000 in federal HOME funding but received no TIF assistance.

"If Logan Place is being represented as an example of why Bangor should support Yellen Pines, then someone should explain why the success of Logan Place demonstrates that Bangor needs to return 75 percent of the tax increments for 30 years," Simmons said.

She asked councilors to table the proposal until taxpayers could see the estimated annual cost, estimated 30-year value of the agreement, complete financing package, remaining funding gaps and justification for providing the 75-percent benefit for three decades.

"Supporting housing and protecting Bangor taxpayers is not mutually exclusive," Simmons said. "Thirty years is a long time."

Residents Question \$11 Million Price Tag



Maine to Automatically Enroll Eligible Households in Electric Bill Discount Program



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October 4, 2026



Collins, Fellow Senators
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The overall cost of Yellen Pines also came under scrutiny.

Bangor Realtor Emily Ellis told councilors that 175 residential homes had sold in Bangor during the previous six months, with an average sale price just under \$318,000 and a median price of approximately \$289,000.

She contrasted those figures with Yellen Pines, which she said works out to approximately \$373,000 for each roughly 400-square-foot unit, or about \$932 per square foot.

"There is a difference between affordable housing and subsidized housing," Ellis said.

Her husband, Mike Ellis, said he reviewed the project's plans and compared its projected cost with supportive housing developments elsewhere, including projects in Canada.

He questioned how Yellen Pines reached an approximately \$11.2 million price tag for 30 units.

Other speakers questioned whether Bangor could eventually face additional financial exposure if state funding supporting the development changes.

Jackie Small told councilors that ongoing services at Yellen Pines are expected to be financed through Maine's Housing First program, which is supported through the state's real estate transfer tax.

Small argued that while Bangor would be making a 30-year commitment, future legislatures and governors could change the state funding formula supporting the services.

"The city's obligation is locked in for three decades," Small said. "The state's is not."

Small urged councilors to slow the process and reconsider the proposal after the November election.

"Bangor has to stop making rash decisions because the implication that this proposal could have on Bangor for the next 30 years are very real," she said.

Drug and Alcohol Use Becomes Issue Before Vote

One of the sharpest exchanges came immediately before the council voted on establishing the TIF district.

Hawes questioned Bangor Housing representative Mike Myatt about whether drug and alcohol use would be permitted at Yellen Pines.

Myatt stressed that Yellen Pines would be permanent supportive housing rather than a homeless shelter.

"If someone's using in their unit, they could be doing that," Myatt said.

He said the purpose of having Preble Street's wraparound services on site would be to encourage residents to address substance use and other problems.

Hawes pressed further.

"But you allow drugs and alcohol to be consumed on the premises. Is that correct?" she asked.

"If someone's using in their unit, they could be doing that," Myatt responded.

"To encourage, but not to prevent," Hawes replied. "So I have issues. I will be voting against the TIF."

Hawes ultimately joined Fish and Mallar in opposing the measure.

Fish: Bangor Cannot Have 'Endless Monies'

Fish delivered one of the strongest arguments from the council against the project.

She said Bangor has already worked with Bangor Housing, MaineHousing and private developers to add housing but still has not adequately answered a fundamental question: Who is Bangor financially responsible for helping?

"To me, I am tired of passing and voting yes on taxpayers' backs for projects like this when we do not have a system of filtering," Fish said.

Fish said Bangor's homeless residents need assistance and described life on the street as inhumane but questioned whether city taxpayers should assume long-term financial obligations for people arriving from other communities.

"We do not have endless monies to take care of everybody else's," Fish said.

She also questioned the cumulative impact if Yellen Pines eventually expands beyond its initial 30 units.

Fish said she wanted more information about the financial consequences of the project and greater participation from the state, surrounding communities and service providers before committing Bangor taxpayers.

"I want to know the financial data," Fish said. "I want to know what the future circumstances and the ripple effect on the city are going to be."

Supporters Say Doing Nothing Also Costs Bangor

Supporters countered that Yellen Pines should not be viewed simply as a benefit for 30 individuals.

Councilor Susan Faloan called the development an investment in the entire Bangor community.

"This is not just an investment in 30 people," Faloan said. "This is an investment in our entire community."

Supporters argued that chronically homeless individuals already generate substantial public costs through police interactions, ambulance calls, emergency medical care, shelters and incarceration.

Jennifer Lohler, who works in homeless services in Bangor, told the council that chronically homeless individuals who were housed in June had spent an average of 1,819 days homeless.

That is nearly five years.

"Having an apartment doesn't automatically resolve the barriers someone faced before they were housed," Lohler said.

She argued that supportive housing is particularly important for individuals who may return to homelessness without continued assistance.

"Home for Good pairs permanent housing with ongoing support that can give someone the foundation to build from," Lohler said.

Preble Street Points to Portland Results

Chris Saunders, vice president of operations at Preble Street, joined the meeting remotely and urged councilors to approve the project.

Saunders pointed to Logan Place in Portland, another 30-unit supportive housing development, as evidence that housing chronically homeless individuals can reduce costs elsewhere in government.

According to Saunders, Logan Place residents experienced an 88-percent reduction in jail nights during the project's first year.

Ambulance and emergency calls dropped by 66 percent, while police contacts fell by 80 percent, he said.

Saunders also said the system of care spent \$23,328 less on residents during Logan Place's first year than it had during the previous year.

He argued that the savings would be more than \$40,000 in today's dollars.

"Moving people from chronic homelessness to stable permanent housing benefits both the individual and the Bangor community," Saunders said.

Myatt similarly argued that the TIF should be considered an investment capable of reducing other municipal costs.

"We're not asking for capital dollars," Myatt said. "We are asking for very precious taxpayer dollars, but we feel that that investment from the city in Yellen Pines will come back in savings for the municipality."

Myatt said those savings could include fewer police calls, first responder interactions, unpaid medical bills and jail stays.

He also made the stakes of Monday's vote clear.

"If we don't get the TIF, our project cannot move forward," Myatt said.

Council Gives City Manager Authority to Add Conditions

Before approving the credit enhancement agreement, the council voted to amend the order to give the city manager authority to place conditions on the final agreement.

That amendment passed 8-1.

The council then approved the amended credit enhancement agreement 6-3, with Hawes, Fish and Mallar opposed.

The separate order creating the affordable housing TIF district at 205 Corporate Drive also passed 6-3, with Hawes, Fish and Mallar again voting no.

Project HOPE Could Bring Another \$126,000 Bangor Commitment

The Yellen Pines debate came as Bangor is simultaneously considering another homelessness initiative.

Councilors referred a separate proposal for Project HOPE to the Government Operations Committee.

The proposal would authorize Bangor to accept and appropriate up to \$300,000 from MaineHousing while providing a \$126,000 match from the city's unspent opioid settlement funds.

Project HOPE is modeled on a Portland initiative designed to move people directly from homelessness into permanent housing while providing ongoing case management and support.

Residents questioned what happens after the initial funding period ends and whether Bangor taxpayers could eventually be asked to cover future expenses.

One speaker warned councilors that homelessness-related proposals increasingly arrive as urgent requests requiring immediate action.

"It's always an emergency," she said. "It's always all hands-on and all resources on deck for the same 1% of Bangor's population."

"Slow down, Bangor," she added.

The Project HOPE proposal is scheduled for further consideration rather than receiving final approval Monday night.

Eric Pelletier Unanimously Approved as Bangor Fire Chief



The council found considerably more agreement later in the meeting, unanimously approving Eric Pelletier as Bangor's next fire chief.

Pelletier joined the Bangor Fire Department as a lieutenant in 2015, was promoted to captain in 2018 and has served as deputy fire chief for eight years.

Before joining Bangor, Pelletier served as both a captain and assistant chief in Hermon.

He has more than 26 years of fire service experience and holds an associate degree in fire science and a bachelor's degree in fire science administration.

Councilors approved his appointment 9-0.

"I am humbled and honored to accept this position and the responsibility that comes with it," Pelletier told the council.

Pelletier thanked former chiefs, city employees, members of the department and his family before outlining priorities including public and firefighter safety, emergency preparedness, community relationships and professional development.

"Safety for the public and our personnel will always be a top priority," Pelletier said.

Mansfield Stadium Field Named for Ron St. Pierre

Councilors also voted 9-0 to officially name the baseball field at Mansfield Stadium in honor of Ronald "Ron" St. Pierre.

St. Pierre and David Mansfield voluntarily managed operations at Mansfield Stadium for more than 30 years, until the city's management agreement with Bangor Westside Little League ended in 2023.

St. Pierre also devoted countless volunteer hours to coaching generations of Bangor youth and supporting baseball tournaments at the local, state, regional and national levels.

Bangor Parks and Recreation Director Tracey Ouellette told councilors that St. Pierre and Mansfield were instrumental in shepherding the stadium and preserving it as an important community asset.

By placing St. Pierre's name permanently on the field, Ouellette said, future generations will have an opportunity to learn about his decades of service to Bangor.

The measure passed unanimously.

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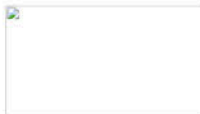
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October 4, 2026



Trump Warns Fraudsters: Prison Time Ahead — and Politicians Who Look Away Could Pay

October 4, 2026



Picture-Perfect Fall Day Brings Candidates, Families and Maine Wire TV Together at Lead Maine Festival

October 4, 2026



7 COMMENTS

Oldest



Handy N Handsome

1 month ago

That'll be a great addition to the neighborhood.

1



Norman Linnell

1 month ago

It would be more effective, economical, and humane for every state to have asylums for all of the junkies and the mentally ill.

0



cheshire cat

1 month ago

more B.S. from the tax and spend demoKKrats that run Bangor. I'm old enough to remember when Bangor was a very nice city, not the crap hole it has become.

10



Pork Bellying

1 month ago

How can anyone justify paying 373,000 per 400 sqft unit. The cost is insane but the idea itself is worthwhile. The members of the Bangor City Council might be the most inept and under qualified group anywhere in America. They prove time and time again how much of an embarrassment they are. It never seems to end.

6



Lowell L Morse

1 month ago

Penal Colony? Darwin / isolation / experimentation? That's scratching the surface. Additional cost incurred with the mental/health "services" that will be imperative with such. Locking doors i.e. autism children who "sneak out".

Oh, it's not prison / jail or a penal colony?

You can not hang this albatross around the neck of the taxpayer and expect to sail away into the night.

There are consequences.

The "lawmakers" are the problem here folks. As a side note, who are the two sitting behind the old dude the women and whoever? Nice touch with the purple jacketed set in the middle.

Aye Yaw people, have you no shame? I will answer that, NO!

Bellies prove it!

It's best that I see this knot yet again, for The Word of The Almighty will spew you out of His mouth.

3



MaineMadMan

1 month ago

In less than 2 years it will look like LBJ's "Great Society" housing projects from the 60's.

4



Dwight McIntosh

1 month ago

These so called "Leaders" are certainly not looking out for the taxpayers of Bangor.

They are out of their flapping minds!!!!

4

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STATE OF MAINE
PENOBSCOT, ss.

DISTRICT COURT
LOCATION: BANGOR
DOCKET NO. BANDC-PFH-2026-00180

JAMIE M. BECK,

Plaintiff,

v.

ADAM STADE,

Defendant.

ORDER GRANTING
DEFENDANT'S SPECIAL MOTION
FOR EXPEDITED RELIEF UNDER
14 M.R.S. § 734 (ANTI-SLAPP)

This matter came before the Court on Defendant Adam Stade's Special Motion for Expedited Relief under the Uniform Public Expression Protection Act, 14 M.R.S. §§ 731–742. The Court has considered the Motion, the Declaration of Adam Stade and its exhibits, the pleadings, and any opposition filed. For the reasons stated in the Motion, it is ORDERED:

1. The Motion is GRANTED.
2. Plaintiff's Amended Complaint, filed after the Motion was on file, is STRICKEN. All other proceedings between the parties were stayed on the filing of the Motion. 14 M.R.S. § 735(1)(A).
3. In the alternative, and to the extent the Court considers the Amended Complaint, the Motion is GRANTED as to the Amended Complaint.
4. UPEPA applies to this action. The causes of action asserted are based on Defendant's exercise of the right of freedom of speech and of the press on a matter of public concern, and on communications on an issue under consideration in a governmental proceeding. 14 M.R.S. § 733(2)(B)–(C). No exception in § 733(3) applies.
5. Plaintiff has not established a *prima facie* case as to each essential element of her cause of action. 14 M.R.S. § 738(1)(C)(1). The image at issue does not depict, and is not modified to appear to depict, a person in a state of nudity or engaged in a sexual act or sexual contact. 17-A M.R.S. § 511-A. The Amended Complaint pleads no act of intimidation, confrontation, physical

force, or threat of physical force. 5 M.R.S. § 4651(2)(A). Every act alleged is an act protected by law and is therefore excluded from the definition of harassment. 5 M.R.S. § 4651(2).

6. Defendant is entitled to judgment as a matter of law, and the Complaint and Amended Complaint fail to state a cause of action upon which relief can be granted. 14 M.R.S. § 738(1)(C)(2). The relief requested is a prior restraint, and the removal remedy in 5 M.R.S. § 4655(1)(G) is unavailable because the image is not one described in 17-A M.R.S. § 511-A.

7. The Complaint and the Amended Complaint are DISMISSED WITH PREJUDICE in their entirety. 14 M.R.S. § 738(1).

8. Defendant is the prevailing party and is awarded his court costs, attorney's fees, and reasonable litigation expenses related to the Motion. 14 M.R.S. § 740(1). Defendant shall file an application for fees and expenses within ____ days of the date of this Order, and Plaintiff may respond within ____ days thereafter.

9. The hearing previously scheduled in this matter is CANCELLED, and no order for protection from harassment shall issue.

10. The Clerk shall incorporate this Order on the docket by reference pursuant to M.R. Civ. P. 79(a).

Dated: _____

Judge, Maine District Court