

Weare bar owner is found not guilty of hindering police probe

◆ Palmer's Tavern: Charges followed police investigation into assault.

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GOFFSTOWN — A Weare bar owner was found not guilty of all charges Tuesday after being accused of misleading a police investigation into the assault of a Deering selectman.

After a four-hour, non-jury trial, Judge Clifford Kinghorn said he had a reasonable doubt that Palmer's Tavern owner George Hodgdon, 61, of Weare, knowingly provided police false information about the case.

"The truth came out," Hodgdon said outside Goffstown District Court.

Hodgdon has garnered much support from libertarian activists since he was charged with two counts of hindering apprehension of prosecution and one count of unsworn falsification last July. He filed a complaint against the Weare

Police Department last week saying on-duty officers placed political signs on his property to help get Chief Gregory Begin reelected.

"They hounded my bar," Hodgdon said Tuesday of Weare officers, claiming they pulled over several patrons outside his Route 114 establishment as a form of harassment. "They laid off about a week ago when my attorney called them about it."

One of those patrons, William Alleman, 51, of Weare, was charged with felony wiretapping for making a phone call connected to a voicemail when he was pulled over after leaving Palmer's Tavern.

Alleman and other Hodgdon supporters were in court Tuesday.

Police said Hodgdon misled them and hid the identities of two assailants while investigating the assault of then 31-year-old Deering Selectman John Greene, which occurred at Palmer's Tavern the night of April 30, 2010.

Police said Hodgdon wit-

nessed the assault, and Greene testified he made eye contact with Hodgdon in the parking lot just after the assault. But several witnesses testified that Hodgdon, who wears leg braces and walks with a cane, was washing dishes in the kitchen when the fight broke out and could not have gotten to the parking lot fast enough for that to have happened.

Greene said he was disappointed with the verdict.

"For a crowd full of people who had nothing to say at the time (of the incident), they had a lot to say in court," Greene said. "Apparently, my testimony was not enough."

Greene said patrons did not call 911 while he was standing outside bloodied and wearing a torn shirt.

"He was yelling, 'I'm a selectman and I'm gonna have this bar shut down,'" defense witness Joshua Solomon said.

Defense attorney Seth Hipple pointed out inconsistencies in police reports — including one report that said there was one assailant, while another said

there were two. He criticized police for detaining between 30 and 45 patrons inside the bar while investigating the assault.

Hipple said Hodgdon's refusing to hire Weare police officers to work private details at his bar was their motivation behind the charges.

Sgt. Joseph Kelley denied that.

"There have been numerous times we've spoken to Mr. Hodgdon about working details," Kelley said. "In fact, I worked a detail at his request for a pig roast (at the bar) for outlaw motorcycle gangs, including the Hell's Angels."

Hipple accused Kelley of telling Hodgdon, "Cripples shouldn't own bars," and that he would "put (Hodgdon) out of business" after the assault.

Kelley denied that.

But later, defense witness Mark Montplaisir, who was in the bar the night of the incident, testified he heard Kelley make the remark.

A turning point in the trial came when Judge Kinghorn questioned police prosecutor



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George Hodgdon, 61, owner of Palmer's Tavern in Weare, was found not guilty Tuesday of misleading an investigation into the assault of Deering Selectman John Greene.

Catherine Baumann after she tried to show Hodgdon knew the identities of Greene's two attackers. The pair fled before police arrived.

Peter Fiascinaro, 32, of Weare, who was charged with assaulting Greene, testified that Hodgdon told him to leave the property after the fight occurred.

"What shred of evidence

does this court have at this time to show the defendant (Hodgdon) knew the identities of these two individuals?" asked Kinghorn.

"An identity does not have to mean a name, date of birth and an address," Baumann responded. "To say, 'A guy in a red shirt.' It happens all the time with police."

Hipple said Hodgdon was under no obligation to speak with police and could only be charged with lying to them.

"If he did not see the fight, he has not lied," Hipple said. "There's no affirmative duty to help in a police investigation."

The misdemeanor simple assault trial for the second assault suspect, Aaron Lewis, 31, of Weare, was originally scheduled for Tuesday but has been rescheduled for April 5.

The court clerk's office said the same charge against Fiascinaro was dismissed Feb. 25 due to "lack of prosecution."

Greene said he was unable to testify in that case due to inclement weather.