Nader family arms residents of Winsted

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Community lawyer Charlene LaVoie was the one who announced formation of the citizens' group, presented the petitions to selectmen and filed for an injunction against selectmen that kept them from making a final decision on Dove's future.

She also will represent the citizens today in Litchfield Superior Court, when a judge hears a request asking for a townwide vote on Dove's future.

Essentially, LaVoie will argue in court that since the town charter splits legislative duties between selectmen and the town meeting, the right of the citizens to vote on the town manager has always existed. But no one has ever exercised that right.

The charter specifically states that town voters can call a referendum to overturn most decisions the selectmen make, except for the setting of the tax rate, payments less than $15,000 and the removal or appointment of town employees. But Dove has not yet been formally removed; selectmen voted only to state their intent to fire him. It is that vote — the first step in the firing process — that the citizens' complaint is challenging.

In the three years since its inception, the position of community lawyer has been praised by some as an important addition to the function of democracy at the local level. Others have questioned its value, and more recently accused LaVoie of taking an active side in the board's political struggles.

"A position like this needs to be separate and independent of the political and electoral process," said Republican Mayor William H. McCabe, the town official who has been most seared by criticism over Dove's firing. "The position shouldn't be to represent particular interests."

But LaVoie said she is involved because the decisions being made by the board affect the rights of the citizens.



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"It's shameful that the board makes the people go to court on this," LaVoie said. "We thought public outcry would make them responsive, but it wasn't enough."

Many residents of this northwestern Connecticut community are upset because selectmen never voiced concerns over Dove's performance before firing him, and they are suspicious and angry with the selection of McCabe as mayor. A Republican on a seven-member board dominated by Democrats, McCabe was selected during a meeting from which three Democrats were absent, prompting accusations — from some selectmen and members of the public — of behind-the-scene political deals.

Residents were incensed enough by the circumstances surrounding Dove's dismissal that more than 250 attended a four-hour public hearing Tuesday, most to support Dove. And community organizers have turned in petitions with more than 1,600 signatures asking that Dove be reinstated.

The episode has become one of the most politically turbulent in history for Winsted, a small mill city of about 11,000.

Without LaVoie's help, which is free, the residents would have had to hire a lawyer to fight the board of selectmen and spend hundreds, perhaps thousands, of their own dollars on the court battle. But since the lawsuit is against the town, it is the taxpayers who pay anyway.

"Without a community lawyer, we wouldn't know the process," said resident Ruth Wheeler, whose name is on the court action. "I don't know what we would have done. It's frustrating to think about."

The office, known formally as the Community Lawyer/Advocate Project, was set up in fall 1988 as part of the Shafeek Nader Trust. Shafeek Nader was an active resident who helped found Northwestern Connecticut Community College and worked on a national program to develop junior colleges. He died in 1986.

The trust was set up by Shafeek's brother, Ralph, and sister, Claire Nader, as a way to honor their brother's community-mindedness. Claire Nader, the director of the trust, said the idea behind the community lawyer was to give residents an advocate.

The main criterion, she said, is that the issue must be of townwide importance before the community lawyer handles it.

Defending LaVoie's active role, Claire Nader said that, as a citizen, LaVoie has the right to initiate lawsuits or petition drives.

The town's first community lawyer, Ellen K. Thomas, was less visible in town affairs than LaVoie has been. Thomas did initiate a ban on plastic-foam products that was eventually adopted by the town.

"To say a community lawyer can't initiate defies any understanding of the democratic process," Claire Nader said.

The project was set up by the Naders with the hope that it would become a national model for community advocacy.

The project is probably the only one of its kind in Connecticut, said William Olds, executive director of the Connecticut Civil Liberties Union. From what he has read about Winsted, Olds said he believes the office helps make government more accessible to residents.

But some who said they thought the community lawyer was a good idea when it started now say the position has changed. Former Democratic Selectwoman Marie A. Kamens, who favors Dove's firing, said LaVoie is in the middle of a political fight, helping some selectmen battle against others.

"She has lost the ability to be objective," said Habbal, who voted to fire Dove.

But one selectman who has worked closely with LaVoie, Democrat Brian Sullivan, said he and LaVoie just happened to be working toward the same goal — overturning Dove's firing.

"I'll pursue any means possible to right a wrong," Sullivan said. "On other issues I've fought her; on this one we're on the same side."