

Postmaster again accused of telling person to leave area

By JUNE PETERSON
Register (Glean Staff)

WINSTED — Dave Lunnan says he was handing out information in front of the post office Wednesday when the postmaster told him to move.

Lunnan, area coordinator for Tom Scott's gubernatorial campaign, said Friday that Postmaster James St. Pierre told him it was illegal to distribute political literature there.

"At the time, I wasn't going to doubt him because he's the postmaster there," said Lunnan, a Winsted resident.

Lunnan moved. But he also contacted community lawyer Charlene LaVoie. LaVoie told him he had every right to distribute the literature there because it is a municipal sidewalk and does not belong to the post office. In fact, she advised him he could go back.

Lunnan returned to the sidewalk in front of the post office for two hours Thursday, handing out Scott's literature. He wasn't bothered, he said.

"I like to think he wasn't

there," Lunnan said of St. Pierre.

Lunnan said it is his constitutional right to stand on the sidewalk and distribute the literature. He thinks St. Pierre is wrong, he said.

LaVoie on Thursday sent St. Pierre a letter complaining about the incident.

"The Supreme Court of the United States has made it clear that municipal sidewalks are a quintessential public forum where expression cannot be denied. Therefore, distribution of campaign materials on the public passageway in front of the Winsted Post Office is constitutional and any prohibition of this activity is unconstitutional," LaVoie wrote. She said Friday St. Pierre had not yet responded.

"That's a municipal sidewalk; it's not U.S. postal property," LaVoie said. She sent copies of the letter to the district manager and the U.S. attorney's office.

"If it's a postal service regulation that says that, then we'll probably challenge that," she said.

St. Pierre could not be reached for comment Friday.

This is LaVoie's second challenge of the local post office on the issue. In April she wrote a letter to St. Pierre after he told a Winsted resident she could not seek petition signatures in front of the post office.

St. Pierre later apologized for his actions in a letter.

Carl Johnson, manager of post office operations in the Connecticut district, said Friday he was unaware of LaVoie's letter or the incident. But in general, if the sidewalk is not owned by the post office, there are no restrictions to using the sidewalk as a forum, he said.

The only thing one cannot do is block entrance to the post office, he said. "As long as they don't impede access, they have a right to be there," he said.

And if they do, the most a postmaster can do is ask the person to move to one side or another, he said.