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Published Monday, November 17, 2003

# State drops disorderly conduct charges

Cases against union leaders, Proto, Smith, Wilhelm still pending

BY TOM SULLIVAN  
Staff Reporter

Nearly two months after union supporters filled New Haven streets in support of striking Yale workers, union members and backers including AFL-CIO President John Sweeney and the leaders of Yale's two largest unions filled the second floor of the New Haven Superior Court building Friday to resolve charges resulting from those actions.

The court dismissed disorderly conduct charges against approximately 125 union members and other strike supporters, including national labor leaders, who were arrested for acts of civil disobedience including blocking traffic at the intersection of York and Elm streets during a September protest against the University.

Cases against those who were charged with more than one act of disorderly conduct and those who were not able to go to court Friday were postponed until Nov. 25.

Local 35 President Bob Proto, Local 34 President Laura Smith and John Wilhelm '67, the president of the parent union of locals 34 and 35, were among protesters who were charged twice.

The charges resulted from actions by members of locals 34 and 35 during a three-week strike that ended Sept. 18. Locals 34 and 35 are Yale's largest unions, representing 4,000 clerical, technical, service and maintenance workers.

In an earlier agreement with the defense, the prosecutor's office agreed to allow the judge to dismiss charges against all defendants facing only one case of disorderly conduct. In each of these cases, the prosecution nolleed the case -- agreeing, for the time being, not to pursue further action -- and the defense moved for dismissal.

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Smith praised the dismissal of charges.

"I think that -- the course that the court has chosen to take is a good one at this point," Smith said. "Mainly I'm pleased by the number of folks that supported us."

Proto said before the hearing that he would not accept having charges against him nolleed. Nolleed charges may be refiled within 13 months.

"We believe that we should have these [charges] dismissed," Proto said.

Defense co-counsel Tara Knight said each dismissal was "equivalent to an acquittal."

Attorney Hugh Keefe, who represented the union supporters with Knight, requested the court first hear national labor leaders' cases because they had flights to catch, he said.

Charges were dismissed against Sweeney; Transport Workers Union of America President Sonny Hall; Connecticut AFL-CIO President John Olson; Union of Needletrades, Industrial and Textile Employees Executive Vice President William Lee and UNITE Secretary-Treasurer Edgar Romney.

After the court heard the leaders' cases, the remaining defendants were called up one at a time in alphabetical order.

The court proceeded to dismiss charges against all defendants facing only one disorderly conduct charge. Graduate Employees and Students Organization Chairwoman Anita Seth GRD '05 was one such defendant.

Disorderly conduct charges were dismissed against more union supporters Oct. 31, Nov. 7, and Nov. 13. Keefe, who said more than 200 cases against union supporters were dismissed on Thursday and Friday, said more charges had been dismissed on those days than in the entire previous history of the courthouse.

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Published Monday, December 1, 2003

## Proto, Smith may trade conduct charges for service

*Action won't be pursued against single-strike offenders*

BY TOM SULLIVAN  
Staff Reporter




In a Nov. 25 New Haven Superior Court hearing, prosecutors and attorneys representing union supporters moved closer to resolving the charges remaining from acts of civil disobedience during this fall's three-week strike by University employees. The state agreed not to pursue charges against Yale union presidents Bob Proto and Laura Smith if they perform community service in the next two months.

Tara Knight, one of the attorneys representing the union supporters, said the state nolleed, or agreed not to pursue further at the time, the charges against defendants who had only been arrested once. The presiding judge then dismissed those charges, Knight said.

Eight defendants who face two charges of disorderly conduct, including Proto, Smith and John Wilhelm '67, the president of the Hotel Employees and Restaurant Employees International Union, or HERE, had their cases continued until Jan. 20. Knight said the defendants had agreed to perform 16 hours of community service each before the January hearing in exchange for charges being nolleed by the state. The defense will then move for the charges to be dismissed, Knight said.

"We believe the arrests were for a good cause and the community service is for a good cause," Proto, the president of Local 35, said. "It is a win-win."

In a separate hearing Nov. 21, a disorderly conduct charge against the Rev. Jesse

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Jackson, which resulted from a Sept. 1 arrest, was also nolleed by prosecutors and then dismissed by the court.

Jackson did not respond to a request for comment on the dropped charge.

Yale President Richard Levin said he had no comment on the dismissal of the disorderly conduct charges.

The charges resulted from actions by members of locals 34 and 35 during the strike that ended Sept. 18. Locals 34 and 35 are Yale's largest unions, representing 4,000 clerical, technical, service and maintenance workers. HERE is their parent union.

Proto said he had hoped prosecutors would noll the cases against him and the others facing two charges when they nolleed charges against those facing only one charge. But he praised the work of his attorneys and said most of the defendants would probably end up doing more than 16 hours of service.

He said he would meet with community groups and with members of his union soon to discuss opportunities for service, including food and toy drives.

"There is just an endless list of opportunities," Proto said.

Proto said some of the defendants may do their service together.

Smith, the president of Local 34, said she will probably perform her service by working with a group that helps women's shelters by making packages of necessities. In addition, she said she will work on a food and toy drive through the Central Labor Council.

"I feel confident that there will probably be a lot of us, whether we have two charges or not or whether it was mandated by the court or not, who participate in these activities around the holidays," Smith said.

Disorderly conduct charges were dismissed against other union supporters Oct. 31, Nov. 7, Nov. 13, Nov. 14 and Nov. 21. Around 300 total cases have been dismissed.

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