

For the love of liberty, David Lourie battles for the little guy

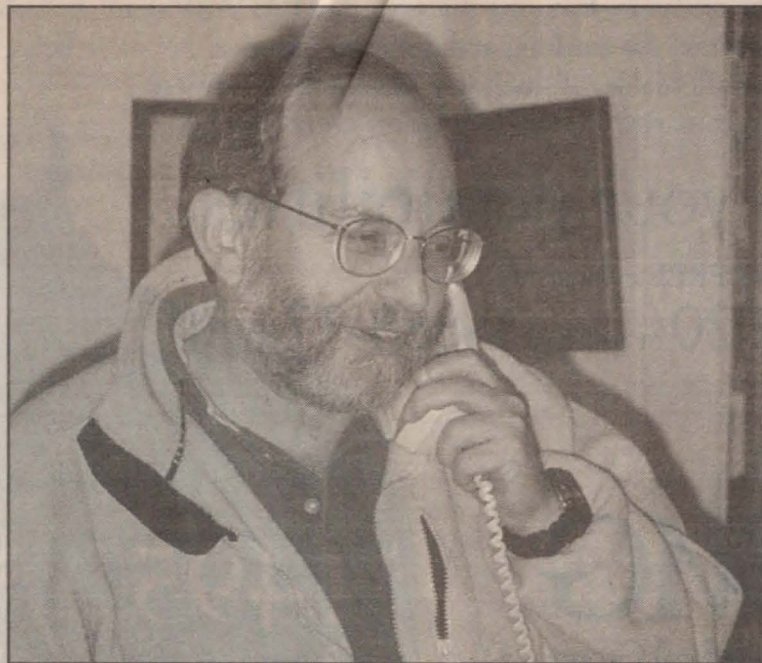
By Jan Grieco

CAPE ELIZABETH — David Lourie is a little surprised at having received the Maine Civil Liberties Union's Scolnik Award this year.

"I thought they'd run out of people to give it to," Lourie said. "Because it's a fund-raiser I didn't think they would choose me because I'm not that popular."

Popular or not, Lourie has been one of Maine's foremost champions of civil liberties, and that has earned him respect, although not necessarily a lot of money, as he jokingly says.

Sitting in the small office attached to his home on Spurwink Road here, it's clear that money is not Lourie's top priority. Most of the clients he represents, like a woman in Sagadahoc County who has been trying to get a



Grieco photo
Attorney David Lourie chats with a client in his office at his home in Cape Elizabeth.

poverty abatement of property taxes for the past five years, or a Biddeford tow truck driver who is being prosecuted by the city there, have little or no money.

"If the woman has no money to pay her taxes, she has no money to pay me," Lourie said.

There are some cases, such as the one he has taken on for Nancy Blanchard, whose land was seized by the Maine Department of Transportation, where he does get paid market rate for lawyers here. That's typically \$175 to \$250 an hour.

"If I could get paid for everything," he said with a grin. "I'd make a good living."

With a wife of 30 years and three boys that he and she have raised, making a living has been a necessary fact of life, but never a top priority.

Lourie said that when he graduated from Boston College Law School in 1974 he could have gone to work at his uncle's law firm in Boston, but it was mostly tax law, and nothing bores him more.

"I'm not very good at math," he said.

The move to Maine

So the couple decided to move to Maine along with their then

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David Lourie

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infant first-born son, in 1975. His wife, although originally from central Massachusetts, had graduated from Colby College and loved Maine. Neither one of them had jobs, but they decided that if they were going to starve to death, they were going to go somewhere they liked.

For those first few years, Lourie ran a course that taught new lawyers how to pass the bar exam, and he hung out a shingle on Main Street in Yarmouth. It was an education. He got the bankruptcy clients who had wiggled around the law by putting property and assets in their lawyer's wife's name. They came to Lourie expecting he would do the same shady maneuverings. He also got the clients charged with driving drunk, and while he got paid for defending them, he felt guilty every time he was successful.

"I'm glad I did it, though," he said, "because it was an eye opener. To get a conviction, a police officer lied about the striping on the pavement."

While it taught him how far some police officers will go to get a conviction, he said that doesn't mean that he believes cops are bad.

"It's a very difficult job," he said, "and most police officers do it well. The 10 to 20 percent that don't will do anything."

He stuck with that job for about a year, then was hired as assistant corporation counsel for the city of Portland, working under William J. O'Brien, who Lourie said was very intellectually honest and warned Lourie that he [O'Brien] would last about three years. O'Brien refused to tell the city council what they wanted to hear, and instead told them the truth about the decisions they made and the consequences. It's not always a popular place to be, and his prediction was true. O'Brien left and Lourie was named cor-

Belize, Central America.

He's come a long way since then and his passion for civil liberties and especially the First Amendment has not wavered. Currently he's waiting for word from the court on the Blanchard case and on a case involving the city of South Portland and Consumer Credit Counseling Service. He's also representing Dorothy LaFortune, whose public access talk show in Biddeford prompted the city council to attempt to censor her, and a

"When I see abuses by government, I try to do something."

— David Lourie

case that involves the complete shutdown of public access cable there. He's also representing the tow truck driver who has been prosecuted by Biddeford officials for using a building on his property to do some vehicle repairs.

Over the years, he has handled several voting rights cases, including efforts by the city of South Portland to close some of its polling places in an off-year vote on a gay rights referendum. Because of

Lourie's efforts, the city opened all five polling places. He also has argued before town and city councils on ordinances that would potentially limit free expression, and convinced the Bangor City Council to repeal an ordinance that restricted political speech.

Radical roots

It's been a long and exhilarating road, but one that he comes by honestly. Lourie became a political activist in the summer of 1963 working with the Student Non-violent Coordinating Committee in New York City to send people to the march on Washington. He had a cousin who was working with SNCC in the deep South, Georgia, and helping to organize in New York seemed the least he could do, Lourie said. He continued his political activism into the Vietnam era and was very active in the anti-war movement.

His father's family, Lourie said, was relatively liberal and intellectual, but his mother's side was really radical. His aunt, Jessica Mitford, wrote the bestseller "The American Way of Death" that created an uproar among the funeral industry, and followed it with "Daughters and Rebels" and a dozen other expose works.

"I even went to a communist camp

called Seeds of Tomorrow, where everyone sat around and sang labor songs," Lourie said with a grin. "I'm not anywhere near as radical as the rest of my family."

Lourie is acutely aware that over the years he has built up an impressive list of enemies, but that doesn't dissuade him from working to protect the things that he believes are the strengths of his country.

"When I see abuses by government, I try to do something," Lourie said. "To somehow change things to make those responsible feel guilty."

He is honored to have received the Scolnik Award, which honors retired Maine Supreme Judicial Court Justice Louis Scolnik, who was the MCLU's first president.

"I'm very honored," Lourie said. "I knew Justice Scolnik and tried several cases before him. The people who received this before me — Dick O'Meara, Pat Peard, others — have done so much more."

But to hear the way they tell it at the MCLU, David Lourie's unyielding efforts to protect the foundations of our society — the law and the rights of people — is plenty.

poration counsel for the city.

"I carried on the philosophy," Lourie said, "and I'm surprised I lasted 10 years."

But last he did, at least until 1990 when he told the city councilors things they didn't want to hear, and he was gone. He went to work for a short while with the now-defunct law firm of Desmond and Cooper in Westbrook, working on a big case for S.D. Warren, and began working with the MCLU.

One of his first cases involved potato inspection in Aroostook County and he spent a great deal of time traveling north, where he said it was always cold. The case went badly for both him and his co-counsel who gave up law and moved to