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Lawsuit: Columbus, OH Must Take Action to Preserve Direct Democracy During the Pandemic

Petitioners for a fracking industry ban and Rights of Nature law seek temporary restraining order, argue Columbus petition law violates state constitutional protections to safely gather signatures.

COLUMBUS, OH: June 17, 2020 - Today a lawsuit was filed in U.S. District Court for Southern Ohio, demanding the immediate suspension of a unique Columbus City Charter provision which places a one year timeline on ballot initiative petition gathering. The City's June 18 deadline on signature gathering is unconstitutional during the Covid-19 pandemic, because it effectively kills ballot access, according to the lawsuit.

"The City cannot have its cake and eat it too," says volunteer petitioner Kathy McGlone. "One day they say democracy and a safe response to the pandemic can co-exist. Yet they refuse to take action to safeguard the petition process, effectively killing our promising ballot initiative drive."

On March 11, 2020 petitioners were forced to suspend their petition campaign. They had secured almost 9,000 signatures to place a *Columbus Community Bill of Rights (CCBOR)* city charter amendment on the November 2020 ballot that would assert the right of people and ecosystems to "clean water, air, and soil, and to be free from activities that would violate this right." The current deadline to turn in 9,870 valid signatures is June 18.

Petitioners seek a temporary restraining order to postpone the deadline to 2022, so as to take into account the possibility of a second Covid-19 wave and the current ban on large gatherings under "Responsible Restart Ohio" public health measures.

In the lawsuit, written by CELDF attorneys, the petitioners show that other governments, including the State of Ohio, have taken action to safeguard the petition process during the unprecedented pandemic. "There is nothing stopping Columbus City Council from protecting the democratic process," says CELDF Ohio Community Organizer Tish O'Dell. "They could take

emergency action to extend the deadline, repeal the deadline, reimburse the time lost due to Covid-19, or just put the initiative on the ballot and let the people vote in November. Instead they have forced the people to go to court and hope that a judge will agree to protect democracy in Columbus.”

“These are times of structural change,” says CCBOR organizer Carolyn Harding. “Democratic participation is essential in forming new systems. We are advancing efforts to protect the precious water systems and ecosystems our community depends upon, and to reframe the basic priorities of the law. The people through the electoral process need to be a part of this change.”

Contact tish@celdf.org or simon@celdf.org for a copy of the lawsuit.

Further information:

<https://columbusbillofrights.org>

Full text of the Columbus Community Bill of Rights petition: <https://columbusbillofrights.org/wp-content/uploads/2019/06/2019-Columbus-Charter>

About CELDF — Community Environmental Legal Defense Fund

The Community Environmental Legal Defense Fund (CELDf) is building a movement for Community Rights and the Rights of Nature to advance democratic, economic, social, and environmental rights – building upward from the grassroots to the state, federal, and international level.

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