

New York City Council



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Comptroller Thompson, Councilmember James, NYPIRG, Elected Officials, Other Plaintiffs and Co-Counsel Announce Filing of Term Limits Lawsuit

City Hall—Today, Comptroller Bill Thompson, Councilmember Letitia James, NYPIRG, elected officials, state Conservative Party Chairman Mike Long, other plaintiffs, and co-counsel Randy Mastro of Gibson, Dunn & Crutcher LLP, Norman Siegel, Esq., and Pieter Van Tol of Lovells LLP announced the filing of their term limits lawsuit in federal court.

One week ago, the Mayor signed Introduction 845-A, which extends term limits for city elected officials from two to three four-year terms without putting the question on the ballot for a public referendum. The Council held just two hearings in Manhattan last month on the legislation, where many New Yorkers had to wait for hours to testify. The bill was passed by 29 to 22 at a Council vote on October 23rd. At the bill signing ceremony last week, scores of additional people turned out to speak on the legislation.

Today the plaintiffs filed a federal lawsuit that alleges the voters have a constitutional right to a meaningful vote on the issue of term limits. New York City voters have twice demonstrated their overwhelming support for term limits. The two-term limit was first instituted by a voter referendum in 1993, and then upheld in a 1996 referendum. Voters have a First Amendment and due process right to a vote that has meaning and that is not nullified by the self-serving actions of the Mayor and City Council. The Mayor and the Council's actions were unconstitutional, as they effectively disenfranchised New York City voters.

"Today's court action is necessary to correct an injustice," Comptroller Bill Thompson said. "We are stepping forward on behalf of those New Yorkers who were denied a voice when self-interest prevailed over the public good. Today's action aims to restore democracy to this process."

"New Yorkers have spoken out loud and clear about extending term limits through legislation, and Mayor Bloomberg cannot silence their voices," said Councilmember Letita James. "The Mayor's actions are a clear violation of the rights of voters. Moving forward with Mayor Bloomberg's plan to extend term limits is self serving, and discounts those who elected us. Today we are going to court to reverse this great wrong."

“The voters twice ratified term limits, and they have a constitutional right to have their vote matter,” said Randy Mastro. “That is why we have gone to court – to prevent local elected officials who acted in their own self-interest from disenfranchising the voters. And that is why we will prevail – for the preservation and protection of our local democracy.”

“NYPIRG hopes that the court will require Mayor Bloomberg and the City Council to go back and ask for a public vote on the fate of term limits,” said Gene Russianoff, senior attorney for the New York Public Interest Research Group (NYPIRG). “We believe we have solid arguments for why a voter referendum is needed, and we are proud to be a plaintiff in this case.”

Councilmember Charles Barron said, "Mayor Bloomberg may have won the vote in the City Council Chambers, but I feel strongly that he'll lose in the court of law, and certainly in the court of public opinion. We are on the right side of the law. Thousands of people are outraged by his thwarting of democracy, and I believe it will be reflected in the polls come next November."

"I hope that the legal action we are taking today will overturn the injustice committed by the New York City Council against the citizens of New York City who voted not once, but twice for term limits," said Mike Long, New York State Conservative Party Chairman.

Public Advocate Betsy Gotbaum said, "Last week we saw democracy at work in our country with the historic election of Barack Obama. However, just one day earlier, New York City saw democracy diminished with the stroke of a pen. I'm proud to support the lawsuit being filed and believe the court will act in the best interest of New Yorkers and restore their constitutional right to vote on the issue of term limits."

“Today marks an important next step in our fight to restore democracy in New York City,” said Councilmember Bill de Blasio. “One week ago, the Mayor enacted his term limits bill into law, officially signing away the voices and votes of hundreds of thousands of New Yorkers. Today we are going to court to ensure those voices are heard.”

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