

PRESS RELEASE

Bill of Rights Committee

October 7, 2013

The Athens County Board of Elections, in its letter of 19 September, 2013, addressed to the attorney for the Bill of Rights Committee, Mr. Sean Kelly, refused to give reasons for denying an anti-fracking petition its rightful place on the November 2013 ballot, after the requisite number of valid signatures had been submitted to the City Auditor and verified by the BoE staff. Instead, to quote from the BoE's letter, "Each member had in his or her own mind the specific reason for voting to sustain the objection of the protestors and rejecting the petition."

On the contrary, the BoE owes it to the voting public to disclose whether it agreed with one, two, three or all four of the arguments presented by the lawyers representing the protestors.

Furthermore, the implications of the BoE's policy of silence in relation to future citizen petitions is cause for concern. It means the BoE can sustain any protest against any future initiative petition, regardless of its contents, without justifying its decision. This implication cannot be allowed to stand.

To that end, BORC members intend to exercise their rights under the Freedom of Information Act (FOIA) and ORC 149.43, in an effort to pry the information from the BoE by examining every public document related to this case, dating from the filing of the initiative petition with the City Auditor on April 4, 2013.

Using the information thus obtained, BORC intends to re-write the proposed Ordinance, collect the requisite number of signatures, and place another anti-fracking initiative before the voters in 2014.