



# T LIBERTARIAN PARTY OF NEW YORK

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## **FOR IMMEDIATE RELEASE**

### **Green Party and Libertarian Party File Joint Lawsuit Fighting Ballot Access Restrictions**

**Albany, New York, July 28, 2020** – The Green Party of New York (GPNY) and the Libertarian Party of New York (LPNY) filed a Federal lawsuit today in the Southern District of New York to invalidate restrictive ballot access provisions passed as a rider to the FY2021 State Budget.

Since 1936, minor political parties in New York have been required to obtain 50,000 votes for their gubernatorial candidate every four years in order to achieve and maintain ballot status. The GPNY achieved ballot status in 2010, and has since maintained it, while the LPNY achieved ballot status in 2018.

In an act of blatant political retribution against the Working Families Party (WFP), Governor Cuomo's hand-picked "Public Campaign Finance Commission," led by state Democratic Party Chair Jay Jacobs, recommended in December 2019 that not only should the requirement to achieve and maintain ballot access be increased from 50,000 votes to the greater of 130,000 votes or two percent of votes cast, but also that the qualifications should occur every two years, at the gubernatorial and presidential elections. At the same time, signature requirements for independent nominating petitions were recommended to be increased threefold. After the legislature declined to modify the recommendations, they automatically became law twenty days later.

Ultimately, the legislature's abdication of its law-making powers to this executive commission caused a NYS Supreme Court judge in Western New York to declare the commission and all its actions unconstitutional. Bent on settling political scores, and under the cover of the COVID-19 crisis, Governor Cuomo and the legislature subsequently re-enacted the ballot access provisions in Part ZZZ of the FY2021 State Budget, leaving minor political parties in NYS facing an uncertain future.

The lawsuit filed today by attorneys James Ostrowski and Michael Kuzma on behalf of the GPNY and LPNY names NYS Board of Elections Co-Chairs Peter Kosinski and Douglas Kellner, Commissioner Andrew Spano, and Co-Executive Directors Todd Valentine and Robert Brehm as Defendants. The complaint alleges infringement upon First and Fourteenth Amendment rights to organize, identify, and vote for minor parties under the United States Constitution, and that the new voter and petitioning requirements are therefore unconstitutional.

"Whatever justification they may use for it, the choice by Gov. Cuomo and the Legislature to create new and onerous ballot-access thresholds this year is clearly designed to eliminate any threat of competition, preserve the state's anemic and uncompetitive electoral system, and satisfy their corporate paymasters. The Green Party stands with all other affected political parties, as well as the voters of New York State, who deserve a robust and expansive democracy," said Peter LaVenia, Co-Chair of the GPNY.

Anthony D'Orazio, Chair of the LPNY added, "Under cover of the COVID-19 pandemic and the already byzantine New York State budget process, the Governor and his advisors decided to destroy political competition in New York and preserve power for the two major parties. The Libertarian Party stands with all minor political parties of New York in fighting against such tyranny."

For more information about the Green Party of New York, visit Facebook at [www.facebook.com/GreenPartyNY](http://www.facebook.com/GreenPartyNY) , Twitter @GPNY , or their website, [www.gpny.org](http://www.gpny.org) .

For more information about the Libertarian Party of New York, visit Facebook at [www.facebook.com/LPNYOfficial](http://www.facebook.com/LPNYOfficial) , Twitter @LPNYOfficial , Instagram @LPNYOfficial , or their website, [www.lpny.org](http://www.lpny.org) .

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## JOIN OUR FIGHT. DONATE TODAY.

Our ballot access lawsuit will ultimately cost us thousands of dollars. Please click below to donate or pledge to the LPNY today, and help fund this important fight. Your pledge will be used to directly support the Libertarian Party of New York's fight to make minor parties and the voice of all New Yorkers heard at the ballot box!

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