

For Immediate Release
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**STATEMENT by DICK DADEY
Executive Director of Citizens Union
on February Special Election Results
and Residency Requirements for City Council Candidates**

For over a century, Citizens Union has been committed to ensuring that New York's elections are fair and honest and that unnecessary burdens do not exist for candidates to appear on the ballot.

Citizens Union also has supported candidates in their quest for office and continues to advocate for reforms that seek to improve the current electoral process.

With this in mind, Citizens Union offers this public comment on the current issues, especially the residency requirement, surrounding the eligibility and swearing in of candidates for the recent special elections that were held on February 20, 2007, for City Council in the 40th district in central Brooklyn and the 51st district on the south shore of Staten Island.

First and foremost, Citizens Union believes it is vitally important for the residents of these districts, and the citizens of the City of New York, that these issues be settled correctly, with timely decisions based on law, precedent and fairness.

Though it is clear that state law does not adequately designate an entity the responsibility and authority to verify that recently elected city council members meet the requirements for holding office, including whether residency was established in accordance with state law, the New York City Charter explicitly delegates responsibility to the City Council to be the "judge of the election returns and qualifications of its own members." Since this responsibility clearly falls to the Council, Citizens Union supports Speaker Christine Quinn's decision to review the matter thoroughly through its Office of Investigation and make a determination as to whether both Dr. Mathieu Eugene and Vincent Ignizio meet the legal requirements to hold the offices they seek.


As Citizens Union supports the proposition that the City Council has the responsibility to ensure that the requirements to hold council office have been met in order for the Speaker to swear in these Councilmembers, we also support the institution of a practice of swearing in council members only after the election results are certified. We believe this practice is prudent, overdue and in the best interests of the city and its voters.

We respect the Office of Attorney General's recent interpretation that residency must be established by Election Day.

This eligibility issue has brought to the forefront an important discussion – that of when and how residency should be established. We are troubled that several other candidates running in the 40th council district also did not apparently live in the district on Election Day, and had only planned to do so if they won the election. While it can be debated as to how long a candidate should have to live in a district to represent that district, it is in the best interest of voters for there to be a clear record of residency established at the very least by Election Day, and quite possibly sooner.

This election also highlights a loophole in the campaign finance program that has allowed several candidates who do not live in the district during a campaign – and apparently had no intention of moving in to the district unless they win – to receive public matching funds under the program. The Campaign Finance Board should clarify that candidates must meet the legal requirements to represent the district for which they are running or forfeit eligibility under the program.

We also urge the City Council to resolve this matter as expeditiously as is possible under the circumstances, and to issue the findings of its investigation publicly.



Citizens Union of the City of New York, a non-partisan force for good government for more than 100 years, works to inform and engage New Yorkers, to ensure local and state government values its citizens, addresses critical issues, and operates in a fair, open, and fiscally sound manner.

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