

Judge Denies Toledoans and Lake Erie Access to Court

Denies People their Right to Defend Local Law Recognizing Rights of Lake Erie

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Toledo, OH: On Tuesday, May 7th, [Toledoans for Safe Water](#) (TSW) and the Lake Erie Ecosystem were denied their motion to intervene in the lawsuit brought by Drewes Farm Partnership of Wood County against the City of Toledo. The corporate-driven lawsuit seeks to overturn the Lake Erie Bill of Rights (LEBOR).

The people of Toledo [voted](#) on February 26th to adopt a charter amendment recognizing legal rights for Lake Erie. However, in his decision, Judge Zouhary not only refuses to acknowledge Rights of Nature as a legal concept – he even refuses to hear arguments made in its favor.

The court allowed the State of Ohio to intervene on May 1st as a plaintiff on the side of Drewes Farms. Judge Zouhary held in his ruling that the City will amply represent the people and Lake Erie. But neither the City law department nor its outside counsel have any experience advancing or defending Rights of Nature laws.

“We gained international recognition for advancing this groundbreaking law, but our own government refuses to recognize our rights. Our own government refuses to recognize the environmental crises faced by Lake Erie and the 11 million human lives she sustains,” stated Crystal Jankowski, organizer with TSW. “The courts do not have the authority to allow the continued poisoning of Great Lake Erie, or to take away our right to protect our community.”

The [Community Environmental Legal Defense Fund](#) (CELDF) has provided legal support to the community group, assisting in drafting the LEBOR, defending Toledoans’ right to vote on the initiative, and today defending the newly adopted charter amendment. The group filed a stay today and plans to appeal this unjust decision.

TSW’s Markie Miller stated, “The state is once again attempting to silence the people of Toledo. First, it was the state administrative branch of government attempting to keep us off the ballot. Now it is the judicial branch keeping us out of the courtroom. But the people of Toledo won’t be going away anytime soon. Lake Erie needs our protection.”