



**Fair Campaign Practices For The Capital Region, Inc.**

## ***NEWS RELEASE***

*For Immediate Release*  
*September 23, 2009*

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### **Findings in the Complaint of John Mooney V Michael Stammel COMPLAINT 2009-1**

Fair Campaign Practices for the Capital Region, Inc. (FCP) held a hearing on September 22, 2009 to consider a complaint made by John Mooney against Michael Stammel. Both are candidates for Rensselaer County Legislator in the 6th District representing the city of Rensselaer. Present were hearing panel members Dr. Khalid Bhatti, Rev. Maurice Drown, Terry Lowenthal, Stevie Swire, and Chairperson Joan Elliott and Coordinator Barbara Thomas. Mr. Mooney appeared. Mr. Stammel was invited but did not respond in a timely manner nor did he or a representative appear.

1. Mr. John Mooney complained that his opponent, Mr. Michael Stammel, issued a mailing to Independence Party voters that implied he was endorsed by Steve Green, president and business agent of the Amalgamated Transit Union and a Democratic committeeman in Rensselaer, although this was not true.
2. Mr. Mooney also said Mr. Green's signature was forged on the mailing and it was used without Mr. Green's knowledge.
3. As evidence, Mr. Mooney produced a notarized statement from Steven Green stating: "I did not endorse any candidate for County Legislative District 6 at this time nor did I allow anyone to sign my name on this political mailing. My signature was forged. This mailing was not authorized by me. This is not my signature." A Republican Party spokesman, in an article in the The Troy Record stated that "We do apologize to Mr. Green for the error and will work with him to correct the mistake." That "mistake" was attributed to a campaign volunteer.

The evidence offered to support the allegations included copies of the material with the alleged endorsement, a notarized statement from Steven Green declaring he had not endorsed any candidate nor had he signed any such statement, and a newspaper article.

### **FINDING: UNFAIR CAMPAIGN PRACTICE.**

**Violation of Principle 1:** Mr. Stammel did not conduct his campaign for public office "fairly and truthfully" when he used an endorsement unauthorized by Steven Green who said he would not endorse any candidate in the race.

**Violation of Principle 4:** Mr. Stammel, by using the campaign material with false signature and endorsement, violated the principle that states "the candidate will not use, permit the use of, or condone the use of any campaign material" that "misrepresents, distorts or otherwise falsifies a fact or the facts regarding his opponent."

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**Violation of Principle 7:** When Mr. Mooney brought the campaign mailing to the attention of Mr. Stammel's campaign, Mr. Stammel failed to "promptly and publicly disavow" the materials that violated the Fair Campaign Practices Statement of Principles. The statement to a Troy Record reporter by a Republican Party spokesman, Rich Crist, acknowledging a "mistake" does not meet this principle.

Forgery is a legal claim that is beyond the jurisdiction of Fair Campaign Practices for the Capital Region.

Fair Campaign Practices for the Capital Region Inc. was established to promote a climate of fair, open and honest campaigns; encourage candidates to discuss issues; encourage candidates to refrain from defamatory attacks on opponents; discourage use of campaign materials that distort facts; and expand the political debate by more fully informing the electorate about the use of unfair campaign practices. Information on FCP can be obtained at <http://www.faircampaignpractices.info>.

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*Note: If a candidate or campaign wishes to quote from this finding, it must do so accurately, particularly if it uses partial quotes. Otherwise that is an unfair campaign practice.*