

candidate's campaign. Mr. Hotaling correctly claims that he could not have done anything to prohibit publication of the unattributed advertisements. However, the duty to disavow relates not to the fact of initial publication but to the candidate's duty to distance himself from the misleading materials. Disavowal can take many forms - for example, with a letter to the editor or other form of public pronouncement. In this case, Mr. Hotaling made no attempt to publicly disavow the materials, thereby violating the seventh principle of FCP's statement of Principles. We would expect responsible newspapers to distinguish banner headlines and paid political ads, for the failure to do so creates a risk of voter confusion detrimental to the democratic process. However, this newspaper's failure to make that distinction does not relieve candidates of their duty to publicly disavow unidentified or misleading political advertisements.

*If a candidate or campaign wishes to quote from this Finding, FCP requires that the Finding be quoted in its entirety. FCP regards selective quotation of its Findings as an Unfair Campaign Practice.*