



FOR IMMEDIATE RELEASE
November 4, 2007

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FINDINGS IN THE COMPLAINT OF
WILLIAM T. COOKE AGAINST STEPHEN TOMMASONE
COMPLAINT 2007.11

Fair Campaign Practices for the Capital Region, Inc. (FCP) held a hearing on November 3, 2007, to consider a complaint made by William Cooke, candidate for Town Supervisor in the Town of Rotterdam, against his opponent Stephen Tommasone. Present were Hearing Panel members Joan Elliott (Chair), Jim Miller, Sam Trumbore, Barbara Thomas, and Aimee Allaud, along with Coordinator Betsey Swan. Mr. Cooke and Mr. Tommasone appeared in person.

Mr. Cooke complained of a mailer sent by the New York State Republican State Committee in support of Mr. Tommasone's candidacy and received by voters on October 29, 2007. The mailer stated, in relevant part, "Bill Cooke is lying about Tommasone's record because he is trying to run from his." and, "Don't believe Bill Cooke's Lies. . . ." FCP Principle 4 prohibits the use of any campaign material that distorts or otherwise falsifies a fact or facts about the candidate's opponent. Principle 7 requires candidates to promptly and publicly disavow campaign third-party materials that violate FCP principles. At the hearing, Mr. Tommasone admitted that the mailer unfairly characterized Mr. Cooke as a liar and disavowed the mailer and the New York State Republican Committee tactics.

FINDING: No Finding. At issue in this hearing is how a candidate can successfully disavow materials issued by third parties immediately prior to the election. As the candidates rightfully pointed out, the editorial boards of most local newspapers impose blackout periods on letters to the editor related to the election for a period immediately prior to the election. Many also cut off reportage on elections at some time prior to election day. These practices have allowed for the proliferation of particularly virulent and misleading attack ads, often by state and local political committees, at the end of the election period. The lack of reportage deprives the public of vital information about the truth of these flyers and, by rendering them beyond the reach of reasonable public analysis, encourages their use in hotly contested campaigns.

While we normally do not consider a disavowal made at a FCP hearing sufficiently public to meet the requirements of FCP Principle 7, the pending election, along with local political reporting practices as the election nears, prohibit an acceptable

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response to this dilemma. We therefore issue no finding in this matter. At the same time we call on both print and broadcast media to devise a solution to this problem that will discourage the use of virulent attack ads immediately prior to elections.

Candidates are reminded that misrepresentation of FCP findings in order to obtain political advantage constitutes an unfair campaign practice.

Fair Campaign practices for the Capital Region, Inc. is a not-for profit corporation formed by the League of Women Voters of Albany, Rensselaer, Saratoga, and Schenectady Counties and the Interfaith Alliance of the Capital Region.

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