



FOR IMMEDIATE RELEASE
October 23, 2007

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FINDINGS IN THE COMPLAINT OF
HAROLD TOWNLEY AGAINST PATTI SOUTHWORTH
COMPLAINT 2007.2

Fair Campaign Practices for the Capital Region, Inc. (FCP) held a hearing on October 22, 2007 to consider a complaint made by Harold Townley against Patti Southworth. Both are candidates for the office of Supervisor in the Town of Ballston. Present were Hearing Panel members Jill Nagy (Chair), Ruth Dinowitz, Robert Turner, Harriet Warnock-Graham and Jean Wilkinson, along with Coordinator Barbara Thomas. Mr. Townley appeared through his representative Murray Brower. Ms. Southworth appeared through her representative Patrick Southworth. Jasper Nolan, Republican County Chair, participated as an ex-officio member of the panel.

Mr. Brower complained that the “Patti Southworth for Supervisor – Republicans for Patti” signs bearing an elephant symbol are misleading because it implies the existence of an organized group of Republicans in support of Southworth, when there is no such group registered with the Board of Elections. The signs do not identify the sponsor or provide contact information. Brower further charged that the signs were paid for by the Ballston Democratic Committee (but offered no proof), and were placed in public spaces, not just in front of residences occupied by registered Republicans.

Mr. Southworth stated that neither Patti Southworth nor the Ballston Democratic Committee had purchased the signs, and provided financial disclosure filings that the Southworth Campaigns had not purchased the signs. He stated that Patti Southworth had publicly called on whoever had purchased the signs to come forward and identify themselves.

FINDING: Unfair Campaign Practice. The signs provide no attribution. Citizens are unable to determine whether there is a substantial group of Republicans who support Southworth. If there really is a group of Republicans supporting Southworth (but whose expenses and contributions are below the \$1000 threshold that would require filing) or not, Southworth had a duty to disavow support from any group erecting signs favoring her candidacy but which violate fair campaign practices because they lack the proper contact information. It was necessary for her to promptly and publicly disavow the actions of any group or person whose activities would violate the Fair Campaign Principles if engaged in by the candidate.

If the signs in question had been Southworth's, they would have violated FCP principle 5 of the FCP Statement of Principles, which requires that the candidate's campaign materials clearly identify the candidate and contain the sponsor's name and contact information.

Principle 7 of the FCP Statement of Principles provides:

The candidate will promptly and publicly disavow support from and the materials/actions of any individual or group whose activities violate this Statement of Principles or whose activities would violate this Statement of Principles if engaged in by the candidate or the candidate's campaign.

Clearly then, the signs require a prompt and public disavowal by the candidate. Southworth claims that, by offering proof that the signs were not paid for or sanctioned by her campaign, she has made the requisite prompt and public disavowal. We find this insufficient to satisfy the requirements of principle 7.

While there are no hard and fast rules about what constitutes prompt public disavowal, a public disavowal is one that is calculated to apprise voters that the materials in question run afoul of fair campaign standards and thus should not be relied upon. This could be achieved by means of a letter to the editor of a local paper, a press release, or a campaign flyer, which informs the public that the materials were neither permitted nor condoned by the candidate, that they violate fair campaign principles, and that consequently They are not a reliable source of campaign information.

Mr. Brower complained that Patti Southworth had openly stated that she would not take money from special interests located outside of the town, but claimed that in reality she had accepted money from the NYS Pipe Trades Action Committee.

Mr. Southworth presented financial statements showing that the contribution from the NYS Pipe Trades Action Council had occurred in 2006, when Patti was running for Town Council.

NO FINDING: Mr. Brower withdrew the charge in the face of the evidence.

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