



FOR IMMEDIATE RELEASE
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FINDINGS IN THE COMPLAINT OF
PATTI SOUTHWORTH AGAINST HAROLD TOWNLEY
COMPLAINT 2007.3

Fair Campaign Practices for the Capital Region, Inc. (FCP) held a hearing on October 22, 2007 to consider a complaint made by Patti Southworth against Harold Townley. 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 Southworth complained that The Town of Ballston Zoning Officer made a phone call to complain that one of Patti Southworth's campaign billboards, was erected more than the allowed 45 days prior to the election, in an apparent attempt to intimidate her campaign. Mr Southworth submitted legal correspondence which showed that the Town Attorney agrees that the 45 day rule applies only to temporary signs, and also, that he had instructed the zoning officer about that fact last year. This action to wrongly interpret the sign ordinance, was repeated by the Town of Ballston Republican Chair in a press release, and was not disavowed by Candidate Townley.

Mr. Brower did not dispute Southworth's interpretation of the zoning ordinance but stated that this was just a mistake by an employee.

FINDING: Unfair Campaign Practice. The Town of Ballston Sign Ordinance is not ambiguously written. It seems inconceivable that the person charged with enforcing this law would have such an erroneous interpretation, particularly since the Town Attorney had spoken to him about it the previous year. When the Town Republican Chair issued a press release based on this erroneous interpretation it was obviously calculated to benefit Mr. Townley's candidacy. Townley's refusal to disavow these actions by others constitutes an unfair campaign practice.

Mr. Southworth complained that a door hanger being utilized by candidate Townley failed to set out the required name of the organization, and contact information of the sponsor.

Mr. Brower conceded that the information was missing.

FINDING: Unfair Campaign Practice. FCP requires that all pieces of campaign literature include the name of the organization paying for the piece, and contact information.

Mr. Southworth complained about a recent campaign mailer which accused Patti Southworth of not knowing anything about taxes in the Town of Ballston. While this mailer was clearly designed to create a negative opinion of Ms. Southworth, thereby advancing candidate Townley's campaign, there was only a return address (which was that of the Republican Committee Treasurer), but no name for the sponsor.

Mr. Brower responded that there are no Town taxes in the Town of Ballston, and that the charges that appear on the tax bill from the Town, are actually special district assessments, which should not be called taxes. He conceded that the Town Council approves the budgets for these special districts.

FINDING: Unfair Campaign Practice. All campaign literature is required by FCP to identify the name of the group paying for the piece, and contact information, and this piece does not do that. The question of what constitutes a town tax, or a Town tax, is a question of political rhetoric and one that the voters will need to sort out for themselves as they think about their local property taxes.

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

FCP's Principle 5 states that the candidate will ensure that his/her campaign materials and advertisements, which the candidate disseminates or which are disseminated the candidate's behalf, clearly identify the candidate and contain the name and address, or other contact information, of the sponsor.

FCP's Principle 7 states that 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.