



FOR IMMEDIATE RELEASE  
November 2, 2007

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FINDINGS IN THE COMPLAINT OF  
PATTI SOUTHWORTH AND GEORGE SEYMOUR AGAINST  
HAROLD TOWNLEY, KIMBERLY IRELAND, AND TIM SZCZEPANIAK  
COMPLAINT 2007.8

Fair Campaign Practices for the Capital Region, Inc. (FCP) held a hearing on November 1, 2007, to consider a complaint made by Patti Southworth, candidate for Town Supervisor in the Town of Ballston, against her opponent Harold Townley and by George Seymour, candidate for Town Council in the Town of Ballston, against his opponents Kimberly Ireland and Tim Szczepaniak. Present were Hearing Panel members Jim Miller (Chair), Ruth Dinowitz, Faith Weldon, Libby Smith-Holmes, and Therese Lowenthal, along with Coordinator Betsey Swan. Mr. Townley, Mr. Szczepaniak, and Ms. Ireland appeared through their representative Murray Brower. Ms. Southworth appeared through her representative Jason Southworth.

Ms. Southworth and Mr. Seymour complain that by waiting until October 22 to file a complaint about an offensive billboard, when the complaint could have been included with complaint 2007.5, filed on October 10, 2007, their opponents committed an unfair campaign practice.

FINDING: No Unfair Campaign Practice.  
FCP Principle 6 provides in relevant part:

The candidate will not abuse FCP or its hearing process.

In their complaint, Complainants admit, "There is nothing dirty about the submission of a justified complaint." Because the complaint which is the subject of this hearing was found to be justified in part, the filing of it cannot be said to be an Unfair Campaign Practice.

Complainants allege that multiple pieces of campaign literature and political signage on behalf of Mr. Townley, Mr. Szczepaniak, and Ms. Ireland violated FCP Principle 5, which requires materials disseminated by or on behalf of the candidate contain the name and address or other contact information of the sponsor.

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. In some cases, no information was provided. In other cases, the address of the Treasurer of the Ballston Republican Committee was provided,

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without identifying the Ballston Republican Committee as sponsor of the literature.

Ms. Southworth and Mr. Seymour complain that by failing to disavow acts of vandalism against their signs, Mr. Townley, Mr. Szczepaniak, and Ms. Ireland violated FCP 7, which requires candidates to promptly and publicly disavow support from any individual or group whose actions would constitute a violation of FCP principles if engaged in by the candidate..

FINDING: No Unfair Campaign Practice.

Principle 7 was designed to mandate candidate disavowal of misleading campaign materials disseminated by third parties. By requiring candidates to inform voters of the misleading nature of campaign materials disseminated on their behalf, it provides voters access to the facts. While we believe that an appropriate response would have been to decry this reprehensible action, both parties characterized this action as an act of vandalism, rather than as an attempt to distribute misleading campaign material, thereby putting it beyond the reach of Principle 7.

Ms. Southworth complained that a mailer sent by the Ballston Republican Committee on behalf of Mr. Townley violated FCP Principle 4 for falsely accusing her of engaging in negative and dishonest campaigning. Although Mr. Townley claimed that a series of letters to the editor of a local paper constituted negative and dishonest campaigning, neither he nor his representative provided copies of negative or misleading letters. When asked what was dishonest about the letter writing campaign, Mr. Townley's representative was unaware of any dishonest acts committed by Ms. Southworth or her supporters.

FINDING: Unfair Campaign Practice.

The mailer in question violated FCP Principle 4, which prohibits the candidate from permitting or condoning the use of campaign materials that falsify a fact about an opponent.

Complainants alleged other instances of Unfair Campaign Practices, all of which were found to be without merit.

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

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