



FOR IMMEDIATE RELEASE
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**FINDINGS IN THE COMPLAINT OF
TONY JORDAN AGAINST IAN MCGAUGHEY
COMPLAINT 2008-6**

Fair Campaign Practices For The Capital Region, Inc. (FCP) held a hearing in Saratoga Springs on October 6, 2008 to consider a complaint made by Tony Jordan against Ian McGaughey, both candidates for the 112th New York State Assembly District.

Hearing Panel members present were: Barbara Thomas, chairperson; Judi Campbell, Therese Lowenthal, George O'Connor, Robert Turner, Linda Ward, along with FCP Coordinators Betsey Swan and Joan Elliott. Mr. Jordan appeared and was represented by Michael Cuevas. Mr. McGaughey appeared and was represented by Kathleen O'Keefe. Ex-Officio panel members present from Saratoga County were: Larry Bulman (Democratic Party chair); Lee Kolesnikoff (Independence Party chair); and Jasper Nolan (Republican Party chair).

Tony Jordan complained that Ian McGaughey's radio advertisement falsely states that "he didn't just cut taxes, he eliminated them." Both parties agreed that there were no Town of Wilton property taxes at the time that Ian McGaughey took office as a Town Councilman and that Mr. McGaughey consistently voted for budgets that did not include a Town of Wilton property tax levy. Ian McGaughey argues that every year's budget brings up an opportunity to levy a property tax and that by voting to adopt a budget without a property tax levy, he is each year "eliminating a tax". Tony Jordan maintained that "you cannot eliminate something that is not there," and if there was no Town property tax in the previous year's budget, it cannot be eliminated.

FINDING: Unfair Campaign Practice

FCP Principle 1 provides in relevant part that the candidate conduct his campaign truthfully and FCP Principle 4 provides in relevant part that a candidate will not use, permit the use of, or condone any advertisement that misrepresents, distorts, or otherwise falsifies a fact or facts. From the point of view of a reasonable voter, looking at this advertisement, s/he would understand existing taxes were cut or eliminated. FCP finds that specific taxes can only be cut or eliminated. Since the Town of Wilton property taxes were eliminated in 1982, failure to reinstate such taxes is not correctly characterized as an annual elimination, and FCP finds that misleading..

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

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Fair Campaign Practices For The Capital Region, Inc.