

CHAUTAUQUA COUNTY FAIR CAMPAIGN PRACTICES COMMITTEE

Lucille Richardson, Chair

CAMPAIGN PRACTICES MANUAL

INTRODUCTION

In 2006 the League of Women Voters of Chautauqua County established a Fair Campaign Practices Committee as a separate and independent entity. The League as such plays no role in the Committee's deliberations or decisions. The Committee is composed of five community leaders who represent a wide range of public interests and are recognized as being independent and fair minded.

PURPOSE

The purpose of the Chautauqua County Fair Campaign Practices Committee is to promote a climate in which candidates conduct honest and fair campaigns. The Committee encourages candidates to conduct campaigns openly and fairly, to discuss issues, to refrain from dishonest and defamatory attacks and from using campaign materials that distort the facts.

The Committee does not sit as a censor of political discussion nor as a body to enforce election law or make legal decisions. Its task is to accept written complaints about alleged unfair campaign practices and to determine whether the action complained about is indeed unfair. Among other things, the Committee will consider to be unfair any campaign practice that is a misstatement of a material fact or that misleads the public.

The Committee has no power to compel anyone to stop doing what it has found to be unfair. If the Committee acts on a complaint, it will release its findings to inform the public. The Committee may choose not to consider a complaint; in that case, a hearing is not held and the parties to the complaint are so notified.

STATEMENT OF PRINCIPLES

In this Statement of Principles, the term "candidate" refers both to those individuals who are official candidates for public office and any other individuals and groups such as campaign committees whose actions have a substantial effect on the fairness and conduct of the campaign.

The Chautauqua County Fair Campaign Practices Committee believes that candidates should conduct their campaigns in accordance with the following principles.

1. The candidate will conduct a campaign for public office openly and fairly. The candidate will discuss the issues and participate in fair debate with respect to his/her views and qualifications.
2. The candidate will neither engage in nor be involved with unfair or misleading attacks upon the character of an opponent, nor will the candidate engage in invasions of personal privacy unrelated to fitness for office.
3. The candidate will not participate in or condone any appeal to prejudice.

4. The candidate will neither use nor be involved with the use of any campaign material or advertisement that misrepresents or distorts the facts.
5. The candidate will clearly identify by name the source of all advertisements and campaign literature published and distributed.
6. The candidate will not abuse the Chautauqua County Fair Campaign Practices Committee process in order to obtain political advantage.

The candidate will publicly repudiate materials or actions from any individual or group which would violate this Statement of Principles.

OPERATING PROCEDURES

FILING OF COMPLAINTS:

1. Only candidates who have filed or intend to file with the Board of Elections may submit an unfair campaign practices complaint form to the Committee.
2. Candidates wishing to file complaints must complete the Unfair Campaign Practices Complaint Form which may be downloaded from:
www.faircampaignpracticeschautauqua.org. Procedures for completing and filing complaints are set forth on the form.
3. The Committee will act only on complaints submitted in writing. Complaints and supporting documentation should be concise enough to be presented during the ten minutes allotted to the complainant should a hearing be warranted. The Committee may consolidate redundant or overlapping complaints
4. The complaint must be filed with the Chautauqua County Fair Campaign Practices Committee by 1 p.m. Monday, according to instructions found on the Filing Procedures form, in order to be considered for the following week's agenda. ***As indicated on the Filing Procedures form, the complaint, including all supporting documentation, must simultaneously be sent to the party complained against by fax, certified mail with a return receipt, or hand delivered with proof of delivery. Notification by e-mail is insufficient.***

The Committee may be unable to act before the elections on complaints filed within seven days preceding Election Day. In such cases, the Committee will so inform the parties; the complainants may then choose to have their complaints considered post-election. Candidates may also file post-election complaints by no later than 9:00 PM on the seventh day after the election.

5. The Committee will notify both the complainant and the party complained against that it has received the complaint.
6. The Chautauqua County Fair Campaign Practices Committee will review every complaint to determine whether a hearing is warranted or any action should be taken. The Committee may choose not to have a hearing if it determines that a hearing is not necessary or is inappropriate, even if it intends to take action.
7. The Committee will notify the candidate who filed the complaint and the person or group against whom the complaint was made as to whether a hearing will be scheduled. The Committee will also notify both principals if no action will be taken.

8. Press releases concerning the filing of a complaint may come only from the Committee. ***If notice of the filing of a complaint is made public by any other source, the Committee will consider the action an unfair campaign practice.***
9. Questions regarding these procedures should be directed to the Committee Chair, Lucille Richardson, (716) 673-1179.

HEARINGS:

1. Until one week before election day, Committee hearings to consider complaints will be held as the need arises. The Committee will communicate notice of the hearing to all parties to the complaint at least 48 hours prior to the hearing.
2. The Committee may request that the party complained against suspend specific campaign practices prior to the hearing and the rendering of a decision.

HEARING PROCEDURES:

1. Hearings consist of an open hearing and an executive session. Complainant and the party complained against (or their representatives) will be permitted to speak at the open hearing.
2. Once all parties have received notification, scheduled hearings may go forward at the Committee's discretion even in the absence of any of the parties.
3. Three Committee members must be present to hold a hearing.
4. Each party is given a maximum of 10 minutes to present its case.
5. During the question period, members of the Committee may question the parties. All replies are addressed to the Committee. The question period is 30 minutes maximum.
6. The Committee will render a decision by majority vote of members present.

DECISIONS:

The Committee may render a decision without holding a hearing if it determines that a hearing is not necessary.

As soon as possible after the hearing, the findings of the Committee will be delivered first to the principals and then to the news media.

The Committee will not delay public release of its findings if it is unable to make direct contact with the parties.

If a candidate or campaign wishes to quote from a Finding, the Committee requires that the Finding be quoted in its entirety. ***The Committee regards selective quotation of its Findings as a violation of fair campaign practices. This statement will appear on all Findings.***