

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 League does provide support services and any necessary funds. The Committee is composed of 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.

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 the LWV website: www.lwvchautauqua.org. Additional forms are available from Chautauqua County Fair Campaign Practices Committee, c/o League of Women Voters of Chautauqua County, 12 Lowell Place, Fredonia, NY 14063. 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 at the hearing. 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. Complaints filed within seven days preceding Election Day must be hand delivered (personally or through any delivery agency) or faxed to both the Chautauqua County Fair Campaign Practices Committee and the party complained against, with verification of receipt. Complaints must be filed before 10 a.m. on the Monday before Election Day. Candidates may also file post-election complaints by 9:00 PM on the seventh day after the election. (See HEARINGS.)
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.
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, Shirley Coon, 672-6631, (Fax 716-672-8634) or to the LWV Voter Service chair, Minda Rae Amiran, 679-4636, who will refer questions to the appropriate Committee member. 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.

HEARINGS:

1. Until one week before election day, Committee hearings to consider complaints will be held as the need arises. The Committee will communicate to all parties to the complaint notice of the hearing within at least 48-hours prior to the hearing.

2. Complaints filed within the seven days immediately preceding Election Day will be considered and may be heard on an expedited basis. Such complaints must deal with practices that occurred during the seven day period prior to election day. During this period, parties to the complaint or their representatives should be prepared to appear on short notice at a hearing once the complaint is filed.
3. The Committee may request that the party complained against suspend specific campaign practices prior to the hearing and the rendering of a decision.
4. Candidates may file post-election complaints no later than 9:00 PM on the seventh day after the election. The Committee will hear such complaints only if the action(s) complained of occurred within seven days prior to the election.

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. Decisions of the Committee will be by majority vote of members present.

DECISIONS:

1. The Committee may render a decision without holding a hearing if it determines that a hearing is not necessary.
2. As soon as possible after the hearing, written decisions of the Committee will be faxed first to the principals and then to the news media.
3. The Committee will not delay public release of its findings if it is unable to make direct contact with the parties.
4. 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.