

WESTCHESTER COUNTY FAIR CAMPAIGN PRACTICES  
COMMITTEE  
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**Immediate Release**

September 17, 2008

Contact: Susan Pace Guma: 337-6007 (h) or 395-2373 (o)

**FAIR CAMPAIGN FINDINGS REGARDING COMPLAINTS BY SUZI  
OPPENHEIMER AGAINST LIZ FELD**

The Westchester County Fair Campaign Practices Committee (WCFCPC) met on September 17, 2008 to hear complaints filed by Suzi Oppenheimer against Liz Feld, both candidates for the New York State Senate, 37<sup>th</sup> District.

COMPLAINT: Mrs. Oppenheimer complained that a postcard prepared, paid for, and mailed by the Republican State Committee pointing out that she was on vacation in Alaska when a special session was called by the Senate Republicans was a misrepresentation and misleading. The postcard contained a photograph of Mrs. Oppenheimer and a purported note from her to her constituents.

FINDING: UNFAIR CAMPAIGN PRACTICE

The Committee found that the fact that the message purported to be from Mrs. Oppenheimer, but was not, was misleading to the average voter. While the postcard was prepared, paid for and mailed by the Republican State Committee, the candidate is responsible for literature prepared in her name.

COMPLAINT: Mrs. Oppenheimer complained that the post card failed to “clearly identify by name the source.”

FINDING: FAIR CAMPAIGN PRACTICE

The postcard clearly identified its source.

COMPLAINT: The Committee notes that Mrs. Oppenheimer notified the press of her intention to file these complaints prior to the hearing.

FINDING: UNFAIR CAMPAIGN PRACTICE.

Notification to the press or the public prior to the hearing of a complaint is a violation of the Operation Procedures found in the Committee’s Manual (Operating Procedure #8).

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*If a candidate or campaign wishes to quote from this 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 process.*

**Committee Members:** Susan Pace Guma (Acting Chair), Milton Hoffman, Miriam Cohen (Coordinator) LaRuth Gray, Stephanie Sarnoff, Ruth Hinerfeld, Bruce Jennings, Burton M. Leiser, Ernest Prince, Susan Schwarz, Evelyn M. Stock.

**Ex officio:** Representatives of the Republican Party, Democratic Party, Independence Party, Conservative Party, Working Families Party.

**The purpose** of the Westchester 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 not to use campaign materials that distort the facts.

The Committee does not sit as a censor or 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 it 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** of the Committee, as stated in its Manual, available at [www.lwwwestchester.org](http://www.lwwwestchester.org). The Westchester County Fair Campaign Practices Committee believes that candidates should conduct their campaigns in accordance with the following principles:

- 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.
- 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.
- The candidate will not participate in or condone any appeal to prejudice.
- The candidate will neither use nor be involved with the use of any campaign material or advertisements that misrepresents or distorts the facts.
- The candidate will clearly identify by name the source of all advertisements and campaign literature published and distributed.
- The candidate will not abuse the Westchester 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 that would violate this Statement of Principles.

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