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Feld held accountable for misleading mailer

Oppenheimer found to violate campaign committee procedure

By PAIGE RENTZ

When residents in the 37th New York State Senatorial District began receiving postcards in the mail bearing a "note from Sen. Suzi Oppenheimer" from her vacation spot in Alaska about missing the property tax cap vote on Aug. 8, they immediately reacted, creating a small firestorm of complaints that landed in the opinion sections of newspapers across the region. Now that postcard has landed Liz Feld a negative ruling from the Westchester County Fair Campaign Practices Committee (WCPCPC).

In an Aug. 22 letter to the editor in this publication, New Rochelle resident Lori Godwin criticized Oppenheimer for leaving the residents mute by missing the vote on the property tax cap, adding, "I was glad to see that at least Suzi remembered her constituents by sending us a postcard from Alaska – wish you were here! Ironic as many of her constituents have cancelled their vacations this summer in an effort to save money."

The letter stimulated several responses to clarify this statement, including two withdrawing support for Feld in the race, one from the co-chairs of the Larchmont Democratic Committee criticizing her for abandoning her bi-partisan platform and allowing herself to be associated with "Republican campaign

propaganda"; the other was from Larchmont resident Richard Mumma, who said, "As a life long Republican and a supporter of Liz Noyer Feld when she ran for mayor on the Coalition ticket, I'm sorry to say that I cannot support her for state senator because of the recent postcard that the Republicans mailed on her behalf."

Feld, current Larchmont mayor and state senate hopeful, was held responsible by the committee for "literature prepared in her name," though the postcard was paid for and mailed by the New York Republican State Committee. In addition, the committee found the postcard to be an unfair campaign practice because it was misleading to the average voter. The card bears a photo of Oppenheimer and a supposed message from the Senator: "Sorry I missed the vote in the New York State Senate on Friday to pass Governor Paterson's bipartisan property tax cap proposal to bring property tax relief to you and your family. Couldn't make it—I'm sightseeing in Alaska. Wish you were here! Your State Senator, Suzi Oppenheimer."

The choice of whom to file a complaint against is left to the complainant, and because Oppenheimer filed against her opponent, the ruling was made against Feld. But ultimately, the

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The postcard at the center of the fair campaign practice controversy.



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WCFPCPC will hold a candidate responsible for whatever is said and done in his or her name.

Oppenheimer said she was delighted with the WCFPCPC's ruling. "The committee said that it was misrepresenting and misleading to the public, and it certainly was that," she said. "Some people thought the card came from me, and they actually thanked me for the card, while other people were simply infuriated. It was clearly a misrepresentation."

Feld felt that the entire proceeding was simply a distraction from the real issues at hand. "With all due respect to the committee, I don't know who these people are, and what kind of authority or jurisdiction they have...we have far more important things to deal with, and if they want to send a letter to the Senate Committee, then let them do it. I've been talking about property tax relief and mandate relief and getting our fair share of money from Albany since the day I got in this race back in May, and I'm going to continue to talk about that until November. If this committee has an opinion about the postcard, so be it, but I find it all irrelevant."

According to the WCFPCPC, its purpose is to "promote a climate in which candidates conduct honest and fair campaigns" and "encourages candidates to conduct campaigns openly and fairly, to discuss issues, to refrain from dishonest and defamatory attacks and not to use campaign materials to distort the facts." The committee, however, does not sit as a body to enforce election law or make

hearings scot-free either. The committee ruled against her for notifying the press that she intended to file the complaint prior to the actual proceedings because doing so is a violation of Operation Procedure 8 found in the committee's manual. In their statement of principals, the WCFPCPC states that, "The candidate will not abuse the Westchester County Fair Campaign Practices Committee process in order to obtain political advantage," which according to Guma, was violated by Oppenheimer going to the press before the hearing.

Feld called Oppenheimer's choice to file a complaint a red-herring, emphasizing again that property tax is the real issue at hand. "Senator Oppenheimer missed one of the most important votes in decades on tax relief. And given that Westchester County pays the highest taxes in the country, it is mind-boggling that our senator was not present during a special session to discuss property tax relief," she said. "So that's really the point, and going to the press to say that you're going to file a complaint about something you didn't like is to me a distraction and a red herring. The point is, we need property tax relief immediately, and if our own senator isn't going to show up for a critical vote, then it's no surprise that we're in the boat that we're in."

Oppenheimer was apologetic for breaking procedure, explaining, "I only mentioned it once to the press, and I had no knowledge that I was not supposed to mention it...obviously, I would not want to go against their procedures."

Oppenheimer agreed with her opponent in one regard, that they should focus on the is-