



The Interfaith Alliance of Rochester
PO Box 25245
Rochester, NY 14625

League of Women Voters/RMA
45 Exchange Blvd. Suite 508
Rochester, NY 14614

August 17, 2009

Dear Candidate:

The Interfaith Alliance of Rochester (TIAR) and the League of Women Voters/Rochester Metro Area (LWV/RMA) are encouraging all candidates for public office to run positive, issues-oriented campaigns. Some candidates feel that negative ads are effective. We believe that positive campaigns that address important issues are *winning* campaigns and we urge you to publicly commit yourself to running a positive, issues-oriented campaign.

Please find enclosed with this letter a copy of The Fair Campaign Pledge (The Pledge) for your review. If you agree to abide by The Pledge, please sign and return that form to the League by fax (585-262-4493) or by US mail at the address above as soon as possible and postmarked no later than Friday, September 4th. If you prefer, you may sign the pledge at the Signing and Recognition Ceremony on September 9th at noon in the atrium of the Monroe County Office Building.

Who can sign The Pledge?

You can. All candidates recognized by the Monroe County Board of Elections are eligible.

Who decides if The Pledge has been broken by a candidate?

First, only a candidate may file a complaint (in her or his own race). The Fair Election Practices Committee (**FEPC**) hears complaints. A copy of the **FEPC** complaint form as well as the committee's rules and procedures are enclosed with this letter. You can also download all these forms from the League's website (www.lwv-rma.org). PLEASE SAVE THIS INFORMATION! You may need it once the **FEPC** begins hearing complaints. Additional questions about the **FEPC** complaint forms and procedures should be directed to the **FEPC** chair, Sarah Liebschutz (585) 385-1854.

What about candidates who do not sign?

You can still file a complaint. Failure to sign the pledge provides no protection for unfair practices. By signing, you are publicly proclaiming your support for a fair, issues-oriented race. You can tout that fact in all your promotions and tell all your potential supporters. We'll even help (see below).

When will the complaint and hearing process begin?

The **FEPC** will accept properly filed complaints beginning on August 17th and continue to hear complaints until November 2nd, the day before Election Day.

Will there be a press conference to promote The Fair Campaign Pledge?

Yes. TIAR and LWV/RMA will hold a joint press conference and signing ceremony on the Wednesday after Labor Day, September 9th, at noon in the atrium of the Monroe County Office Building recognizing those who have signed The Pledge. All local media will be invited to witness the ceremony and interview candidates in attendance who have signed The Pledge.

For more information about The Fair Campaign Pledge and the Fair Election Practices Committee, please visit the League of Women Voter's website: www.lwv-rma.org or call Sarah Liebschutz (585) 385-1854.

Please join us in encouraging positive campaigning!

Sincerely,

Sula Baxter, Co-President-League of Women Voters/RMA
Katherine Smith, Co-President-League of Women Voters/RMA
Sally Chamberlin, President-The Interfaith Alliance of Rochester

FAIR ELECTION PRACTICES COMMITTEE - COMPLAINT FORM - 2009

FROM:

Name _____
Address _____
Phone/Fax _____
Candidate for _____

TO:

Name _____
Address _____
Phone/Fax _____
Candidate for _____

COMPLAINT FILING PROCEDURES:

1. The FEPC will accept complaints beginning on August 17, 2009.
2. The Committee will review complaints by candidates as they come in. Complaints must be received within approximately ten days of their initial publication, distribution or occurrence. Complaints occurring in the final six days before the election must be filed immediately in order to be heard prior to the election. **No hearings will be held on or after Election Day.**
3. Only candidates may file complaints. Complaints filed by a candidate's representative with the candidate's approval will be recognized. Candidates may file only one complaint per advertisement, handout, statement, mailing, news report or incident.
4. In order to register a complaint with the Fair Elections Practices Committee you must send the complaint form and all supporting materials to the committee chair, Sarah Liebschutz. The committee strongly prefers all documents be delivered to the committee as a Portable Digital File (PDF) or as a JPEG image file sent to sliebsch@rochester.rr.com. Documents may also be delivered to the committee by hand/mail in care of Sarah Liebschutz, 48 Tobey Court, Pittsford, NY 14534 or by fax (585) 288-3491 (with a cover sheet addressed to the committee chair). If you have questions, call Sarah Liebschutz at (585) 385-1854. A hearing will not be scheduled unless and until the complaint form has been completed and all relevant materials are in the committee's possession.
5. On the same day that the complaint is filed with the FEPC, **a hard copy of all the relevant materials MUST be sent by the serving candidate by certified mail or hand delivered to the candidate complained against** at the candidate's address on file with the Monroe County Board of Elections. It is **strongly** recommended that the serving candidate deliver a duplicate copy of the complaint package to a staff member at the affiliated political party headquarters (e.g., Democrat, Republican, Conservative, Independence, Working Families) of the candidate complained against. While direct service to the candidate complained against is adequate, dual service will guarantee full compliance without controversy.
6. All decisions will be released by the Committee chair to the candidates and the news media as soon as possible after the votes are taken. The Committee will not delay public release of its decision even if unable to make direct contact with the candidates. There is no "appeal" process. All decisions by the committee are final.
7. ***Neither the League of Women Voters nor The Interfaith Alliance of Rochester will be involved in the Fair Election Practices Committee's complaint review process.***

DESCRIPTION OF COMPLAINT:

Newspaper ad or brochure: _____ Date: _____

Radio or T.V. Station: _____ Date, Time aired: _____

Other: _____ Date: _____

If possible, please include a copy of any related material (print, video tape, audio tape, news clipping, etc.). The committee highly values full documentation.

Briefly describe below what you claim is in violation of the Pledge.

I CERTIFY THAT COPIES OF THIS COMPLAINT HAVE BEEN PROVIDED TO THE PERSON COMPLAINED AGAINST AS REQUIRED.

Signed: _____ Date: _____

(Complainant)

FAIR ELECTION PRACTICES COMMITTEE - HEARING PROCEDURES - 2009

HEARINGS:

1. The FEPC will meet to hear complaints within approximately 1 week of receiving a complaint, during the period preceding an election. **No hearings will be held on or after Election Day.** The Committee will judge complaints regarding the context of the Fair Campaign Pledge only. No other criteria will be used. Supporting evidence is appreciated.
2. Both the complainant and the candidate complained against will have an opportunity to be heard by the Committee. Candidates are strongly encouraged to appear before the Committee but may ask representatives to speak on their behalf. Presentations by each side will be limited: twenty minutes for presentation of issues and five minutes for clarification and rebuttal. The media will not be invited.
3. All properly filed complaints accepted by the Committee will be heard notwithstanding the failure of either side to appear.
4. At least one copy of the original complaint package and six copies (one for each member of the FEPC and one for the other candidate or their representative) of any additional material to be presented to the committee must be provided by the complainant for distribution at the hearing.
5. At its discretion, the FEPC may choose to render a decision on a complaint without a hearing if the facts are clear and time is critical. The FEPC will work from August 17, 2009 until the day before Election Day (November 2, 2009) generally during regular business hours. (Any FEPC action will be deferred until the candidate list is officially certified by the Board of Elections.)
6. The FEPC may request a respondent to suspend specific campaign practices until a decision is rendered.
7. Unless other arrangements are approved by the committee chair in advance, only the candidate(s) involved in the complaint and/or their representative may be present at the hearing.
8. There will be no "appeal" process. All decisions of the FEPC are final.

DECISIONS:

1. Actions of the Committee will be by majority vote. Decisions will be expressed in written form. The Committee will decide the outcome of any complaint based on a vote of 3 members (i.e., 3 out of 5, 3 out of 4 or 3 out of 3).
2. All decisions will be released by the Committee chair to the candidates and the news media as soon as possible after the votes are taken. The Committee will not delay public release of its decision even if unable to make direct contact with the candidates.

The Fair Election Practices Committee members are in alphabetical order: Sarah Liebschutz (chair), John G. Curran, Margaret Freeman, Thomas Frey, and Channing Philbrick. Alternates shall be Lois Giess, Bill Kelly, Joanne Van Zandt and Kay Wallace. Alternates will serve in the event one of the primary committee members cannot attend a particular hearing. Additional alternates may be added as needed.

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P.O. Box 25245
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FAIR CAMPAIGN PLEDGE

As a candidate for public office in 2009 election, I pledge the following:

- I will conduct my campaign accurately and honestly. I will discuss the issues and participate in fair public debate with respect to my views and qualifications.
- I will not engage in, permit or condone personal attacks upon the character of my opponent(s); nor will I engage in invasions of personal privacy unrelated to campaign issues.
- I will not use or permit the use of any campaign material or advertisement, which uses quotations or images taken out of context and to misrepresent the other candidate or other candidate's message.
- I will refuse to disseminate any campaign material or message in which I am not prominently identified, or affiliated.
- I will publicly repudiate any individual or group whose activities on my campaign's behalf (directly or indirectly) violate this Fair Campaign Pledge.

In signing this pledge, I assume personal control and responsibility for the conduct of my campaign.

Signature: _____

Printed Name: _____

Office Sought: _____

Date: _____

Please sign and return this form to the League of Women Voters by fax (585-262-4493) or by US mail to the League at the address listed above as soon as possible and not later than Friday, September 4th. Candidates who wish to are welcome to sign at the public ceremony in the atrium of the Monroe County Office Building on September 9th at noon. A complete list of Pledge signers will be kept at the League office and be released in a press announcement.

In signing this pledge, The Interfaith Alliance and The League of Women Voters/RMA expect candidates to honor their commitment to fair campaign practices. The Fair Election Practices Committee (FEPC) will monitor and judge candidate complaints.