



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 673

11/24/78 BPC

79710787473





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

September 5, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clarence J. Kadys
1912 W. Genesee Street
Syracuse, New York 13204

RE: MUR 673

Dear Mr. Kadys:

The Federal Election Commission has reviewed your complaint dated August 3, 1978 and determined that on the information provided in your complaint, the Commission has no jurisdiction over the allegations stated.

Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 673.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

73040787430

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Onondaga County Board of Elections)

MUR 673

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 23, 1978, the Commission determined by a vote of 6-0 to adopt the recommendation of the General Counsel to take the following actions in the above-captioned matter:

1. Find no reason to believe that a violation of the Federal Election Campaign Act, as amended, has been committed.
2. Close the file.
3. Send the letter attached to the General Counsel's First Report.

Attest:

8/25/78

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS

SUBJECT: MUR 673 - First General Counsel's
Report dated 8-17-78,
Received in Office of Commission
Secretary 8-17-78, 1:17

DATE: AUGUST 22, 1978

The above-named document was circulated on a 48 hour vote basis at 3:30, August 17, 1978.

Commissioner Staebler submitted an objection at 4:48, August 21, 1978, thereby placing MUR 673 on the Amended Agenda for August 23, 1978.

79040380402



August 17, 1978

MEMORANDUM TO: Marge Hanson
FROM: Elisea T. Carr
SUBJECT: MUR 673

Please have the attached First General Council's Report on MUR 673 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040080403

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

AUG 17 1978
AUG 17 1978

MUR NO. 673
DATE COMPLAINT RECEIVED
BY OGC _____
STAFF _____
MEMBER Duane Brown

COMPLAINANT'S NAME: Clarence J. Kadys

RESPONDENT'S NAME: Onondaga County Board of Elections

RELEVANT STATUTE: None

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

In a notarized complaint dated August 3, 1978, complainant alleges that the respondent, a local elections board, provided his campaign committee with false information and poor service. As reflected in the attached complaint, the complainant did not cite any particular provision of the Act or of the regulations, as the basis of his complaint.

ANALYSIS

The Commission has no jurisdiction over this matter.

RECOMMENDATION

1. Find no reason to believe that a violation of the Act has been committed and close the file.
2. Send attached letter.

603059
MUR 673

Dear Sir:

We are filing a complaint against Onondaga County Board of Elections concerning their lack of service, their misleading information, and their employees that have continually vilified the members of the Committee to Elect Clarence Kadys for Congress in the 33rd Congressional District of New York State and the candidate himself.

From the beginning of the campaign, we have constantly had problems with the Onondaga County Board of Elections, particularly with an employee by the name of Richard Lawless, Deputy Commissioner. The first day that Mr. Clay Orbesen, Campaign Organizer, met with Mr. Lawless was during approximately the last week of June when Mr. Orbesen went down to pick up the registration booklets from the Onondaga County Board of Elections. Mr. Lawless stated many negative remarks about our candidate. Such remarks as "Mr. Kadys has nothing on the ball," "he doesn't have a chance," and other definite statements were made demeaning to Mr. Kadys' character. It is all right to voice one's personal opinion: But not if you're a public servant working on taxpayer's time, on county property, and his job is to give answers to questions people may ask. It is not for Mr. Lawless to give a 100% biased opinion, as he did, which in turn may inevitably turn the voter off towards the candidates and may also give them a reason for not voting in the primary and in the general election.

This Board of Elections should have service as one of their main objectives. Unfortunately, when our committee calls up to get information (such as what ward and election districts people live in), the Onondaga Board of Elections says that they will not give even one name or any information over the phone. This means for every question we have, we must go down to their office and look up the information ourselves. We can't call and ask all or any of our questions at once. We can't understand how the Onondaga County Board of Elections can do this, while the Cayuga County Board of Elections or any other county Board of Elections will give information on as many as 170 different legislative districts and precincts on various people at once. This is the difference between the two. One is willing to help the people, while the other deliberately turns the tax-paying voter away.

7 3 0 1 0 7 8 1 4 8 5

73 AUG 4 PM 12:07

We have had many incidents dealing with this problem of poor service. The primary clerks that we have been given poor service from are: Jane Foster; Norma Burkett; Barbara Hass. The following people from the Committee to elect Clarence Kadys have made numerous unnecessary phone calls: Clay Orbesen, Campaign Organizer; Kevin Strader, Advance Man; Chris Kianka, Committee Worker; and Donna Roth, Committee Worker. The poor service is lack of information and wrong information concerning voter's eligibility, and voter registration status.

Another problem that we have had is when Stan Sansone, a Committee worker, went down to find out if he was still a registered voter. He had registered on approximately August 25, 1976 at the Syracuse Vocational High School on the corner of Otisco and Oswego Streets but had not voted in the general election of 1976 and 1977. Mr. Sansone went down to the Onondaga County Board of Elections and asked them if it were permissible that he circulate petitions. They told him he had not registered. He insisted they had in fact registered him. However, they issued him another registration card and told him that he could go out and get signatures for a designating petition immediately. This information was given and the registration card was issued by a clerk named Barbara Hass on the 21st of July at 11:00. After the Committee for Kadys was told this information, Mr. Orbesen called up the New York State Board of Elections on the 24th of July and spoke with Assistant Executive Director, George Palmer. Mr. Palmer said, "A person could go out to get signatures for a designating petition only if he was registered and enrolled 60 days prior to the primary, or 30 days if he fell under the special enrollment clause." Unfortunately, Mr. Sansone did not register within 60 days of the primary and was not a special enrollee. This meant that he was not eligible to get signatures for our candidate. This cost us much time, loss of signatures and money because he was not given the proper information. Since there has been misleading information and poor service given to our Committee, we were forced to find all information that we needed through many calls to Albany. This was at a great financial expense because of the long distance phone calls and the time involved.

On the 24th of July at 12:35, Mr. Sansone returned to the Onondaga County Board of Elections to find out if the information he had received was absolutely correct. While Mr. Sansone was there, he asked the clerk to again try to relocate his registration card from 1976. She was unable to locate this card. While she

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was checking the books, Mr. Dick Romeo, Commissioner of Elections, came over and started speaking with Mr. Orbesen, Mr. Sansone and the clerk that was there. In reference to the clerk not finding the registration card of Mr. Sansone, Mr. Romeo said to Mr. Sansone, "You didn't ever register." He didn't say that there might have been an error in the registration process. Instead he came out POINT BLANK and strongly insinuated that Stan Sansone was not telling the truth about his registration. Mr. Sansone's reply to this statement was, "I can understand that there might be some kind of confusion in finding my card, or that there might have been some kind of error with the entree of my registration, but one thing I don't understand is when someone calls me a liar." Mr. Sansone and Mr. Orbesen left the Onondaga County Board of Elections at 1:15 p.m.

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The main person we have been having problems with is Mr. Richard Lawless, Deputy Election Commissioner. On the 21st of July at 2:00 p.m., Clay Orbesen was vilified by this man. There was also a third party, Mr. Gary DeDell, on this line who witnessed the conversation. The conversation regarded Stan Sansone. Mr. Orbesen was trying to find out from Mr. Lawless if Mr. Sansone was a legally enrolled voter of the Democratic party in the 3rd Congressional District. The first question Mr. Orbesen asked was: "If a person had not voted in two consecutive general elections, would he still be a duly enrolled voter?" Mr. Lawless said he would look it up in the election law book. He said no, but would not tell me where this section was in the election law book. The second question Mr. Orbesen asked was: "If a person had not voted in one General Election, would he be eligible to get signatures for a designating petition? Would you look this up in the election law book?" Mr. Lawless got very, very upset and said, "That question is dumb." Then he stated on the phone, "ANYONE INVOLVED WITH KADYS IS LACKING SOMETHING TO BE DESIRED." Mr. DeDell was a witness listening on the third line. For a public servant to insult and degrade Mr. Orbesen and/or Kadys' Committee and/or Kadys (or anyone for that matter) because we are seeking information, we feel this is an injustice to the caller and to the community. In respect to all the problems that we have had, and the vilification that we have received, We, the Committee to Elect Clarence Kadys, ask that actions be taken to correct this situation that still exists with the County Board of Elections.

As late as today we had further problems. Phone calls were placed by Committee members or prospective Committee members seeking information as to their eligibility. Each person was refused information by Clerk Foster and Commissioner Romeo. They were told to come in. This would mean a 60 mile return trip for several of them. Needless to say, we didn't get the information and several people have not joined the committee--all a direct result of their obstinacy.

Further, today, an Eliza Gentile called the Onondaga County Board of Elections and was told they could not find her registration listed at all. She had registered on approximately the 8th of June, 1978 at Syracuse Fowler High School in a drive for registration by the Onondaga County Board of Elections at said school. We were also told that Independents registered on or before August 7, 1978 can gather petition signatures for an Independent petition for the formation of a new party and a candidate for same in the upcoming fall general election.

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WE, THE UNDERSIGNED, Committee to Elect Clarence Kady's, charge the Onondaga County Board of Elections with:

- 1. Giving false information
- 2. Poor service for our Committee
- 3. Vilifications of Committee workers, the Committee itself, and the candidate, Clarence J. Kady's

NAMELY:

- 1. Richard Romeo--Democratic Commissioner of Elections
- 2. Dick Lawless--Democratic Deputy Commissioner of Elections
- 3. Barbara Hass--Clerk
- 4. Jane Fester--Clerk
- 5. Norma Burkett--Clerk

We also ask for the removal of Richard Lawless as Democratic Deputy Commissioner of Elections.

Clay Orbesen

Stanley Sansone

Steven M. Grant

Kevin Strader

Gary DeDell

Chris Kianka

Clarence J. Kady's
Clarence J. Kady's

Clay Orbesen
Stanley Sansone
Steven M. Grant

Kevin Strader
Gary DeDell

Chris Kianka

THE ABOVE ARE TRUE & CORRECT SIGNATURES BEFORE

NOTARY PUBLIC

Raymond J. Bordynski

RAYMOND J. BORDYNSKI
Notary Public in the State of New York
Qualified in Onon. Co. No. 536718
My Commission Expires March 20, 1980

AUG. 15, 78
SYRACUSE N.Y.

73043087489



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clarence J. Kadys
1912 W. Genesee Street
Syracuse, New York 13204

RE: MUR 673

Dear Mr. Kadys:

The Federal Election Commission has reviewed the allegations of your complaint dated August 3, 1978 and determined that on the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 673.

Sincerely,

William C. Oldaker
General Counsel

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RECEIVED
FEDERAL ELECTION
COMMISSION

18 AUG 14 AM 10:12

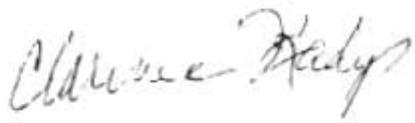
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August 10, 1978

Dear Commissioner of the Federal Election Commission;
Dear Commissioner of the N.Y.S. Board of Elections;
Dear N.Y.S. Secretary of State:

In our sworn affidavit sent to you yesterday,
we inadvertantly forgot to include the news art-
icle mentioned in our letter. We sincerely regret
this oversight and are enclosing this article at
this time.

Sincerely,



Clarence J. Kadys
1912 West Genesee St.
Syracuse, NY 13204

79040780401

Kadys files objections

Clarence Kadys, candidate in the Democratic primary election for Congress in the 33rd District, has filed specific objections against designating petitions filed by Democratic candidate Roy A. Bernardi.

Kadys said the objections deal with signatures for the same person in different handwriting, husbands or wives signing for their mates, and people signing petitions two or more times.

Bernardi denied the allegations and said his campaign team will have specific objections against designating petitions filed by Kadys with the State Board of Elections in Albany.

Bernardi filed a general objection but the registered letter reportedly was lost in the mail. Bernardi said he has a receipt for the letter from the post office, which is tracing the piece of mail.

Last week Kadys charged the Democratic County Committee expended committee funds in petition drives for several candidates.

Richard A. Romeo, committee secretary, said the allegations are false since an independent committee, established six weeks ago to promote candidates in the primary election, expended the funds.

Kadys reiterated the charge and pointed out a letter written on county committee stationery, and signed by Richard Parkinson, city chairman, and Gus Arabadjis, towns chairman, asked town and ward chairmen to appoint liaison coordinators to keep the county committee candidates informed of any activities taking place in the coordinator's town or ward.

included with the letter was a list of Democratic candidates designated by the party, which didn't include Kadys' name.

He also said committee members were paid to collect petition signatures, but Romeo said the independent committee paid for the collection of signatures.

August 8, 1978 --

Dear Sir:

I hereby charge the Onondaga Democratic Committee with discrimination and use of party funds under section 2-126 of the New York State Election Law in the promotion of a nominated candidate before the primary has been held. Namely, the enclosed news article points out Mr. Roy Bernardi as mentioned. Obviously, there was a cost for the time to make up this press release, postage for same, typing and stationery.

The news release sent to the Syracuse Herald-Journal and the Syracuse Post-Standard on Onondaga Democratic Committee stationery. Further, there is no mention of Mr. Clarence Kadys, Democratic candidate for Congress in the 33rd Congressional District who opposes Mr. Bernardi. And there is an inference that the price of admission will be used for the campaign of only those mentioned. Mr. Kadys is excluded for two primary reasons:

1. He was not invited, and
2. The party in its original letter to the towns and wards did not indicate that he was a candidate.

The money will be used for the promotion of these candidates as has already been done and as the article intends, is to be done to the detriment opposing same in primary. We ask that you immediately issue an order to cease and desist this type of publicity and this type of Committee expenditures by the Onondaga County Democratic Committee before irreparable damage is done. I, Clarence J. Kadys, hereby swear to the foregoing on the 8th of August, 1978

Clarence Kadys

Clarence J. Kadys
Congressional candidate
for the 33rd District of
New York State
1912 West Genesee Street
Syracuse, NY 13204

79040030493

John K.

C. Kadys
1912 W. Genesee St.
Syracuse, NY 13204



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Commissioner
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

August 9, 1978

Clarence J. Kadys
1912 W. Genesee Street
Syracuse, New York 13204

Dear Mr. Kadys:

This is to acknowledge receipt of your complaint of August 1, 1978, alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

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ACC 4397

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August 3, 1978

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Dear Mr. Bernardi:
 Dear Election Commissioner of New York State:
 Dear Election Commissioner of the Federal Government:
 Dear Secretary of State Cuomo:

In response to the filing of our charges on Mr. Bernardi's/nominating
 (Mr. Roy Bernardi, Democratic candidate for primary, 33rd
 Congressional District of New York), the charges are specif-
 ically as follows: each and every sheet and defective,
 generally and specifically because:

1. The petitions were printed, mailed, postage-paid, in envelopes supplied by, with counsel by telephone of the Onondaga County Democratic Committee, Syracuse, New York.
2. In more than one instance, petition gatherers were coerced into getting petitions with at least 10 signatures, with specific instructions to do at least that. Such instructions are illegal. Such instructions were made by the Onondaga County Democratic Committee and its members. This is also likewise illegal.
3. It has been reported that some people have been paid for gathering petitions while they are members of the Onondaga County Democratic Committee. Specifically, we find that individuals are unwilling to sign any affidavits to that effect.
4. The following petition pages and lines are defective because of irregularities in the signature, its legibility, and/or the instrument (pen) used in same:

73040780496

Page	Line	Page	Line	Page	Line	Page	Line	
1	1-11	1	1-11	1	1-11	1	1-11	OK
12	1-14	12	1-14	12	1-14	12	1-14	OK
24	1-9	24	1-9	24	1-9	24	1-9	OK
38	1-10	38	1-10	38	1-10	38	1-10	OK
45	1-12	45	1-12	45	1-12	45	1-12	OK
61	1-1	61	1-1	61	1-1	61	1-1	OK
71	1-1	71	1-1	71	1-1	71	1-1	OK
77	1-1	77	1-1	77	1-1	77	1-1	OK
86	All	86	All	86	All	86	All	OK
92	All	92	All	92	All	92	All	OK
98	All	98	All	98	All	98	All	OK
107	All	107	All	107	All	107	All	OK

79010081497

Page	Line	Page	Line	Page	Line	Page	Line
122	13	123	1	131	1	132	All
130	1,2,3,4	135	3	136	1,2,3,4	140	1,2,3,4,5,6,7,8,9
141	1	142	1	143	1	149	All
150	2,3,4,5	141	All	152	All	153	2,3,4,5,6
151	10						
154	All	154	1	152	1,11	170	7,8,9,10,11
164	All	166	10	167	1,2,3,4,5	172	All
177	10	178	1	181	1,2,10	180	1,2,10
191	1,2,3,4	193	8	196	2,3,4,5	199	10
202	1	203	1	205	1,2	212	All
212	1,2,3,4	210	All	220	1,2,3	221	4
226	All	227	2	227	10	230	All
240	8	243	All	247	All	248	All
251	7,8,10	250	7,8,10	251	All	260	All
264	All	264	All	267	All	268	All
270	All	270	All	268	1,2,3,4	271	All
281	All	282	All	272	1,2,3,4	277	All
288	All	281	All	283	1,2,3	284	1
297	All	297	All	284	1,2,3,4	291	All
302	All	297	1	285	11		

Targeted:

5. Page 1, Lines 1,7 signatures by same hand
- Page 2, Lines 5 thru and including 7, not unreadable, within date written over, unreadable, not initialed
- Page 11, Line 2 signature and/or instrument defective
- Page 12, Lines 5,6 signature and/or instrument defective and/or traced over
- Page 15, Line 2 not initialed
- Page 17, Notary public line not initialed
- Page 20, Line 10 abbreviated signature
- Page 18, Notary public did not complete remaining blanks on petition which prevents all from writing in, entire petition defective and invalid
- Page 16, ~~xxxx~~ signature in notary public line invalid
- Page 21, Lines 11, 12 signed by same hand signature total changed, not initialed
- Page 23, Line 2, not a signature
- Page 24, signature total changed, not initialed
- Page 25, Line 4, not a signature
- Page 26, Lines 1, 2 and signature and instrument defective
- Page 27, Line 10, not a signature
- Page 28, signature of Notary Public line invalid
- Page 29, Line 3, no date
- Page 31, signature total changed, not initialed signature of witness are present, entire page invalid
- Page 34, Line 1 crossed out, signature of entire sheet invalid (no initials)
- Page ~~35~~, Line 1, signature and/or instrument defective

Purported:

- Page 34, Lines 5,6, towns written over, not initialed
 Page 35, Line 5 signature and/or instrument defective
 Line 9 crossed out, not initialed,
 Total signatures should be 9, entire sheet void
 Page 36 Notary Public signatures and lines crossed out
 not initialed
 Page 37 ditto comment on page 36 above
 Page 38 Line 5, date written over
 Line 6,7,8 signature and/or writing instrument de-
 fective
 Page 40 Lines, 3,4,5,6 Dates written in April, too early
 Page 42 Witness date line, date written over, not initialed
 entire page invalid
 Page 43, Line 14 signature written over
 Page 44, Lines 5,6 signatures written by same hand
 Page 47, Line 1, Witness witnessed own petitioner's signature
 Line 5, Signature written over
 Notary public line crossed out, not initialed
 Page 48 Line 2, not same signature as at Board of Elections
 Page 48 Lines 7,8 signatures by same hand
 Page 49 Lines 1,2 signatures by same hand
 Line 10, not a signature
 Page 50 Lines 1,2, signatures by same hand
 Page 52 Lines 6,7 signatures by same hand
 Lines 14,15 signatures by same hand
 Notary public signature crossed out, not initialed
 Page 53, Line 4, signature does not agree with that at the
 Board of Elections
 Page 54 Line 3, no ~~time~~ date
 Is Board of Election Inspector allowed to get signatur-
 es? We were told no.
 Page 55 Line 6, date written over, not initialed
 Page 56 Lines 1,2,3,4,5,6 Dates written over, not initialed
 Page 57 Lines 1,2 written by same hand
 Line 5 date unreadable, signature does not agree
 with that at Board of Elections
 Page 58 WHAT IS ~~THE~~ THE WAY A NOTARY PUBLIC IS REQUIRED TO
 FILL OUT AND FILE A PETITION
 Page 59 Notary Public did not x out last 8 lines to prevent
 additional signatures, entire petition invalid
 Page 60 Line 1, signature crossed out, not initialed, signature
 count should be 7
 Page 63 Line 5, signature does not agree with Board of Election
 signature
 Page 64 Lines 3,5 signatures do not agree with Board of Elect-
 ions signatures
 Lines 8,9,10,11 signed after witness signed. Entire
 page invalid
 Page 65 Line 3, petitioner did not sign on that date
 Lines 5,6,7,8 Dates rewritten not initialed
 All lines, ~~ward~~ crossed out, not initialed
 Line 9 crossed out not initialed
 Line 10,11,12 all si gnatures by same hand
 Line 12 Witness signature for that of petitioner
 Page 66 Line 2, signature and/or instrument defective
 Line 2,2 signature not same as that at Board of Elec-
 tion
 Line 3 signature or writing instrument defective
 Line 2, date defective

806414008

Purported:

- Page 98 Witness signature not same as petitioner on page 95
 Page 99 witness block has changes, not initialed
 Page 100 Line 3, signature does not agree with that at Board of Election
 Line 9, crossed out not initialed
 Page 101 Line 1, crossed out not initialed
 total of petitioners written over, unreadable, not initialed
 witness signature not same as petitioner signature on page 91
 Page 102 all signatures and/or writing instrument defective
 can Board of Election Inspectors gather signatures?
 Page 103 Page # changed, not clear, not initialed
 Ward changed, not clear, not initialed
 Line 6, signature defective
 Line 13, 14 signatures signed by same hand, signatures do not agree with the records at Board of Election
 Page 104 Line 2 crossed out, not initialed
 signature total changed, not readable, not initialed
 Page 106 Line 1 crossed out, not initialed
 signature total changed, not readable, not initialed
 Page 107 Line 4, name crossed out, different, not initialed
 Page 108 Line 1 crossed out, not initialed
 signature total changed, not initialed
 Page 109 Last line in petitioner's signatures crossed out, not initialed
 signature total changed, City Changed, both not initialed
~~Page 110~~ led
 Page 110 9,10,11 signatures made in in May, illegal
 entire petition defective for above reason
 Line 14 crossed out, not initialed
 signature total changed, not initialed
 Page 111 Notary public filled out, but do not believe she is a notary, can't find on county or city records
 Page 112 Line 1 crossed out, not initialed
 Line 13 dated after witness date
 Page 114 Lines 8-15 not obliterated to prevent others from signing with notary public endorsement, entire petition defective
 Page 115 Witness signature does not agree with petition signature on line 1 signatures different or same
 signature total changed, not initialed
 Page 116 Line 7, witness signature does not agree with petitioner signature.
 Line 7 crossed out, not initialed
 Line 8, person did not sign on 7/3
 Notary public lines crossed out, Assembly Dist crossed out, signature total crossed out, none initialed
 Page 117 Line 3, didn't spell name correctly, signature does not agree with the Board of Election Records
 Line 11, signer says she did not sign on 7/3
 Page 118 Line 9, signature traced over, not initialed
~~Page~~ witness block has many cross-outs, none initialed
 Page 119 Line 3, date changed, not legible, not initialed
 Last petition line crossed out, not initialed
 Witness block has cross-outs, not initialed
 Page 120 Line 3, crossed out not initialed
 Signature total crossed out, not initialed

005000001000

6
Purported:

- Page 120 Witness block crossed out, not initialed
Lines 10, 11 purportedly same hand signed
- Page 121 Town block, column has cross outs, not initialed
Witness block has cross-outs, not initialed
- Page 122 Lines 3-10 signed by same hand
Line 13 signature also made as ~~with~~ petitioner on page 124
- Page 123 Lines 2 thru and including 15 were signed after witness signed and dated
- Page 124 Line 2 signed on page 122
Line 4 crossed out, not initialed
witness block has changes, not initialed
total of signatures changed not initialed
- Page 125 Lines 3,4 made by same hand
Witness block has cross outs, not initialed
- Page # 126 Line 10, sigger signed too late. Witness dated and signed per two days previously
- Page 127 signed in Notary public block. Not a notary. Entire petition defective
- Page 128 Line 1 crossed out, not initialed
Line 11 signature does not agree with Board of Election records
Witness block has cross outs, not initialed
signature total changed, not initialed
- Page 129 Lines, 1,2,3 signatures and/or writing instrument defective, signatures look similar
- Page 130 Line 3, crossed out, not initialed
Total of signatures changed, not initialed
- Page 131 Line 3,4, done by purportedly same hand for signature
Line 8,9 signed improperly
- Page 132 Line 11,12 signed by same hand
Line 11 crossed out, not initialed
Notary public signature block crossed out, not initialed
- Page 133 Line 3, signature illegible
- Page 134 witness block illegible
date of witness illegible
- Page 135 Lines 3,4, written by same hand
Lines 6,7 written by same hand
- Page 136 Notary block crossed out, not initialed
Town block crossed out, changed, not initialed
- Page 138 Line 12,13 signed by same hand
- Page 139 Line 1, signed on the 91st day of July! i
Can an Inspector of Elections gather signatures?
Crossed out Notary Public block, did not initial
- Page 142 Crossed out Notary Public block, not initialed
- Page 143 Line 1, signed too early
Crossed out Notary public block, did not initial
Can an Inspector of Elections collect signatures?
- ~~Page 144~~ Please note, she dated her petition originally 6 days before the last signed date of a petitioner, Purportedly two different signatures between that in witness block and that in the Notary Public Block
- Page 148 Lines 8,9,10 purportedly appear to be same ~~signature~~ handwriting
- Page 151 Lines 2,3 written in same hand
Line 4 crossed out, not initialed
Lines 8,9 written and signed in same handwriting
Line 11, 12, written and signed by same handwriting

105080501

Parported:

- Page 192 Lines 1,2,3 no initials on cross outs
 Lines 9,10 cross outs not initialed
 Line 13, signature does not agree with Board of Electi
 records
- Page 193 Line 6 petitioner and witness are one and the same
- Page 195 Line 1,2 written by same hand and signed by same
 Line 1, correction not initialed
 witness block correction not initialed
- Page 196 Not full name for witness, all petition signatures (12
 invalid
- Page 197 Lines, 1,2,3,4,10,11 all have box numbers, addresses
 and election districts incomplete
- Page 198 Line 3, signature does not agree with Board of
 E
 Election records
- Page 199 Lines 7,8,9 singatures pupportedly by same hand
- Page 202 Lines 3,4,5, post dated after date of witness
 Lines 3,4,5 written by same hand
- Page 203 Lines 2,3,4 post dated after date of witness
- Page 205 Line 1, no initial on correction
 Line 12,13 written by same hand
- Page 206 Line 10 signature illegible and does not agree with
 Board of Election records
- ~~Page 207~~
- Page 207 Line 5,6 written by same hand
- Page 208 Lines 14,15 written by same hand
- Page 209 Line 1 petitioner and witness one and the same
 Lines 12,13,14 signatures do not agree with same on
 file with Board of Elections
- Page 210 Lines 1,2 same handwriting for signature
 Legislative district incorrectly used
 Changes in ward column, not initialed
 no assembly district in witness block
- Page 211 Line 7, signature dittoed, illegal
 Line 10 signature does not agree with Beard of Electic
 records
 Election District column has cross outs, not initialed
 witness block has cross out, not initialed
- Page 212 Line 1,2, same handwriting
 Lines 6,7 same handwriting
 Line 8 signature does not agree with Board of Election
 records
 Lines 10,11 qwritten in same handwriting
 witness block has correction, not initialed
- Page 213 Line 4, signature traced over, not initialed
- Page 214 Writing instrument defective
- Page 214 Notary public block filled in in error
- Page 215 Notary Public block filled in in error
- Page 216 Lines, 1,2,3,4,5,8,9,10,11 made out in same handwritin
- Page 217 Lines 4,5 in same handwriting
 Line 1 crossed out, no initial
 Ward column changed, no initial
- Page 220 Page no changed, illegible, not initialed
 Line 4 deleted, not initialed
 Line 10 signature does not agree with Board of Electic
 records
 Notary public block filled out in error
- Page 221 Line 10, signature does not agree with Board of Electi
 +n records
- Page 222 Line 4, signature does not agree with Baord of Klectic
 records

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Purported:

Page 222 Ward and Election District Column not initialed where changed Lines 10,11,13

Page 223 Line 7, signature does not agree with Board of Election Records
Line 11, cross out not initialed
Notary Public in direct conflict with witness signature and statement

Page 225 Lines 8,9,10,11,12,13,14,15 signed after date of witness

Page 226 Witness and petition signatures purportedly of same person are written in two hands. All 9 signatures invalid

Page 227 Notary Public block crossed out, not initialed

Page 228 Notary Public block filled in, and not qualified
Is committee person allowed to gather signatures

Page 230 Line 1 and witness signature are of same person, but differ
Line 5 and 6 written by same hand
Line 10,11 and 12 written by same hand
Line 14,15 written by same hand

Page 231 Notary public block filled out illegally

Page 232 Last line filled out not legal
Notary public block filled out, not legal

Page 234 Line 7,8 filled out by same hand
Line 14,15 filled out by same hand

Page 235 Line 14,15 filled out by same signature

Page 238 Line 1, crossed out not initialed
Line 7,8 signed by same hand
Line 9,10 signed by same hand
Line 11,12 signed by same hand

Page 239 Lines 10,11,12 signatures by same hand
Witness signatures and Notary public signatures conflict and differ. This may be very serious

Page 240 Witness block illegible

Page 243 Petitioner signed on page 244 ~~xxxxxxx~~

Page 244, petitioner signed on 243 ~~xxxxxxx~~

Page 245 signer as witness obviously did not fill out nor date witness block

Page 246 signer as witness obviously did not fill out nor date witness block

Page 247 dates written over and not initialed in petition column
dates changed

Page 249 Lines 1,2 signatures in purported same handwriting

Page 250 Lines 7,8 by same hand
Lines 11,12 by same handwriting

Page 252 Line 1, witnessed petitioner's own signature

Page 253 Lines 1,2 purportedly written by same hand
Lines 11,12 written by same hand

Page 254 Lines 5,6,7 written by same hand

Page 255 Line 8, no address

Page 255 witness block filled in by someone other than signer

Page 258 Line 2 witnessed signature of same as petitioner

Page 259 witness block filled in by someone other than signer

Page 260 Line 1, signature not same as at Board of Election
witness block filled out by someone other than signer

Page 261 witness block filled out by someone other than witness

Page 262 Signer spells name differently in name of witness block

Page 263 no of signatures in Notary public block was changed, does not belong, not initialed

100010080507

Purported:

- Page 267 Line 2 deleted, not initialed
No of signatures in witness block changed, not initialed.
- Page 270 Line 12,13 signed by same hand
- Page 271 Signed in Notary Public block, deleted, not initialed
- Page 271 Date changed not initialed, entire petition void
- Page 272 Line 7 deleted, not initialed
- Page 272 No. of signatures changed, but not initialed
- Page 273 Lines 1,3 deleted, not initialed
No. of signatures in witness block changed, not initialed
- Page 275 All void: witness block not filled out. Notary public in violation of law, accepted initials for signature; and in violation of law accepted a written over name (Lines 6,7)
- Page 276 No. of signatures illegible
witness block filled out with defective instrument
- Page 278 and Page 279 signatures are similar from sheet to sheet
- Page 280 Line 1, not valid, no date
Line 5, crossed out, not initialed
Line 7,8 illegible
Line 9 dated after date of witness
- Page 283 Lines 4,5 written in same hand
Lines 6,7 written in same hand
- Page 284 Filled in block of Notary Public, deleted same, and did not initial
- Page 286 Lines 1,2 in same hand
- Page 287 Lines 2,3 in same hand
- Page 287 Line 5,6 in same hand
Lines 8,9 in same hand
- Page 288 Line 1, signature does not agree with that on record at Board of Election
- Page 290 Lines 1,2,3,4,5 have deletions with no initials
- Page 290 and 291 definitely signing two different names in same handwriting. Forgery!!!
- Page 291 All void, filled out in same handwriting by two people
- Page 292 Lines 8,9 in same handwriting
- Page 293 Line 6, deleted, not initialed
Line 10, line 11 signers signed on another sheet
- Page 294 Can an Election inspector ~~fix~~ get signatures
Notary Public Block crossed out, not initialed
- Page 295 Lines 2,4 illegible
Lines 6,7 signed by same hand
Lines 8,9 signed by same hand
- Page 296 Lines 7,8 signed by same hand
Lines 8,9 signatures do not match the records of the Board of Election
Lines 10,11 signatures do not match the records of the Board of Election
- Page 297 Lines 1,2 purportedly the same handwriting
- Page 298 Line 6,7 writing instrument defective
- Page 299 Line 2, signature does not agree with Board of Election records
- Page 300 Signature in petition block does not appear to be the same as name of witness in witness block
- Page 302 Signature on line 8 does not match that at Board of Election

Purported:

- Page 302 Signature numbers crossed out, not initialed
- Page 303 Line 1 crossed out, not initialed
- Page 303 Number of signatures crossed out, not initialed
ALL petition void, all names lack complete addresses
- Page 305 Line 1,2 signed by same hand
Line 2 has incomplete address
- Page 305 Number of signatures changed with no initials
- Page 306 Line 2 deleted, not initialed
- Page 307 Line 1 signs petition and witness block
Line 2 signature does not agree with the record at the Board of Election
- Page 308, Petition illegible
Page number at bottom changed, not initialed
signatures illegible (defective writing instrument?)
- Page 310 Line 8 signature does not agree with Board of Election records
- Page 311 All signatures lack complete address. Scratch 3 names
- Page 313 Line 3,4 signed by same hand
Line 5,6 signed by same hand
Line 7,8 signed by same hand
- Page 314 Notary public on page 275 signature does not agree w/7 line
- Page 315 Line 4, not a signature
- Page 318 All signatures purportedly signed by same hand
scratch 7
- Page 318 Line 2 signature does not agree with Board of Election records
- Page 319 Line 4,5 last name differs, one is correct, one is not or is incomplete
- Page 320 Line 3 signature does not agree with Board of Election records
Line 8,9,10 deleted, no initials
Line 11,12 signed by same hand
Line 13,14 signed by same hand
- Page 321 Line 7,8 signed by same hand
Line 10,11 signed by same hand
- ~~Page 322 Line 2,3~~
- Page 322 Line 4 illegible signature
Line 5,6 illegible signatures
- Page 323 Line 2,3 signed by same hand
Line 4 deleted, no initials
no of signatures changed, with no initials
- Page 324 Line 1 deleted, no initials
various signatures purportedly appear to be the same
signature block number changed, not initialed
- Page 325 Line 1,2 signed by same hand
Line 1, deleted, not initialed
signature number changed, not initialed
- Page 326 Line 2 deletion, not initialed
Line 6,7 same handwriting
- Page 327 are election inspectors allowed to collect signatures?
Notary public block filled out incorrectly, then deleted
not initialed
- Page 328 Lines 1,2 signed by same hand
Lines 3,4 signed by same hand
Lines 5,6 signed by same hand
- Page 329 Line 1 signature does not agree with Board of Election records
Line 5 deleted, not initialed
Line 6,7 signed by same hand
- Page 330 Election district, line 1 changed, not initialed

I certify that what has been written in and during the past eleven pages is true and correct to the best of my belief, so help me God.

I further state that what has been purported, and that is all of the foregoing has been ascertained by myself and members of my committee.

I further state that I am, on this 3rd day of August, in the year of our Lord, 1978, sending a copy of these charges to the said, Mr. Roy A. Bernardi, the Election Commissioner of New York State, The US. Election Commissioner, and Secretary of State for the State of New York Mario Cuomo, all under separate cover, by first class certified mail, using return receipt cards, and certificate numbers: 397826, 397827, 397837, 397838, respectively.

The signature as it appears below is mine, and is so witnessed.

7 0 0 1 0 0 8 0 5 0 7

Clarence Dady
Witness: *[Signature]*

1812 West Genesee St.
Syracuse, New York 13207



Federal Election Commission
1325 K St., NW
Washington, D.C.

FIRST CLASS

Form receipt requested
CERTIFIED
No.
MAIL

ST CLASS

AUG 7 PM 1 '80

RECEIVED

73749780577

CCC# 4414

RECEIVED
FEDERAL ELECTION
COMMISSION

'78 AUG 8 AM 11:55
August 5, 1978

805159

Mr. William Cloaker
General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Cloaker:

In response to your letter of Aug. 2, 1978, and in compliance with your request in your letter, I will respond in full to complaints that I have sent to you up to this date.

Thank you for the copy of the Federal Election Campaign Act and the copy of your Commission's regulations.

After careful review of these two books, you will be hearing from me.

Sincerely,

Clarence Kays
Clarence Kays
1012 W. Genesee
Syracuse, N.Y. 13206

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1912 W. Genesee St.
Syracuse, N.Y. 13211

7304078751

FEDERAL ELECTION
COMMISSION



'78 AUG 5 AM 11:55

Mr. William Widener
General Counsel
Federal Election Commission
Washington, D.C. 20542

1912 W. Genesee St.
Syracuse, NY 13204

August 1, 1978

Geo 4371

FILED
AUG 1 1978

865059

Dear Sir:

We are filing a complaint against the Onondaga County Board of Elections concerning their lack of service, their misleading information, and their employees that have continually vilified the members of the Committee to Elect Clarence Kadys for Congress in the 33rd Congressional District of New York State and the candidate himself.

78 AUG 4 PM 12:07

From the beginning of the campaign, we have constantly had problems with the Onondaga County Board of Elections, particularly with an employee by the name of Richard Lawless, Deputy Commissioner. The first day that Mr. Clay Orbesen, Campaign Organizer, met with Mr. Lawless was during approximately the last week of June when Mr. Orbesen went down to pick up the registration booklets from the Onondaga County Board of Elections. Mr. Lawless stated many negative remarks about our candidate. Such remarks as "Mr. Kadys has nothing in the ball," "he doesn't have a chance," and other definite statements were made demeaning to Mr. Kadys' character. It is all right to voice one's personal opinion; but not if you're a public servant working on taxpayer's time, on county property, and his job is to give answers to questions people may ask. It is not for Mr. Lawless to give a 100% biased opinion, as he did, which in turn may inevitably turn the voter off towards the candidates and may also give them a reason for not voting in the primary and in the general election.

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This Board of Elections should have service as one of their main objectives. Unfortunately, when our committee calls up to get information (such as what ward and election districts people live in), the Onondaga Board of Elections says that they will not give even the name or any information over the phone. This means for every question we have, we must go down to their office and look up the information ourselves. We can't call and ask all or any of our questions at once. We can't understand how the Onondaga County Board of Elections can do this, while the Cayuga County Board of Elections or any other county Board of Elections will give information on as many as 100 different legislative districts and precincts in ward to people at once. This is the difference between the two. One is willing to help the people, while the other deliberately turns the tax-paying voter away.

We have had many incidents dealing with this problem of poor service. The primary clerks that we have been given poor service from are: Jane Foster; Norma Burkett; Barbara Hass. The following people from the Committee to elect Clarence Kadys have made numerous unnecessary phone calls: Clay Orbesen, Campaign Organizer; Kevin Strader, Advance Man; Chris Klanka, Committee Worker; and Donna Roth, Committee Worker. The poor service is lack of information and wrong information concerning voter's eligibility, and voter registration status.

Another problem that we have had is when Stan Sansone, a Committee worker, went down to find out if he was still a registered voter. He had registered on approximately August 25, 1976 at the Syracuse Vocational High School on the corner of Otisco and Oswego Streets but had not voted in the general election of 1976 and 1977. Mr. Sansone went down to the Onondaga County Board of Elections and asked them if it were permissible that he circulate petitions. They told him he had not registered. He insisted they had in fact registered him. However, they issued him another registration card and told him that he could go out and get signatures for a designating petition immediately. This information was given and the registration card was issued by a clerk named Barbara Hass on the 21st of July at 11:30. After the Committee for Kadys was told this information, Mr. Orbesen called up the New York State Board of Elections on the 24th of July and spoke with Assistant Executive Director, George Palmer. Mr. Palmer said, "A person could go out to get signatures for a designating petition only if he was registered and enrolled 30 days prior to the primary, or 3 days if he fell under the special enrollment clause." Unfortunately, Mr. Sansone did not register within 30 days of the primary and was not a special enrollee. This meant that he was not eligible to get signatures for our candidate. This cost us much time, loss of signatures and money because he was not given the proper information. Since there has been misleading information and poor service given to our Committee, we were forced to find all information that we needed through many calls to Albany. This was at a great financial expense because of the long distance phone calls and the time involved.

On the 24th of July at 12:35, Mr. Sansone returned to the Onondaga County Board of Elections to find out if the information he had received was absolutely correct. While Mr. Sansone was there, he asked the clerk to again try to relocate his registration card from 1976. She was unable to locate this card. While she

7 3 0 4 0 3 1 5 1 :

was checking the books, Mr. Dick Romeo, Commissioner of Elections, came over and started speaking with Mr. Orbesen, Mr. Sansone and the clerk that was there. In reference to the clerk not finding the registration card of Mr. Sansone, Mr. Romeo said to Mr. Sansone, "You didn't ever register." He didn't say that there might have been an error in the registration process. Instead he came out POINT BLANK and strongly insinuated that Stan Sansone was not telling the truth about his registration. Mr. Sansone's reply to this statement was, "I can understand that there might be some kind of confusion in finding my card, or that there might have been some kind of error with the entree of my registration, but one thing I don't understand is when someone calls me a liar." Mr. Sansone and Mr. Orbesen left the Inandaga County Board of Elections at 1:15 p.m.

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The main person we have been having problems with is Mr. Richard Lawless, Deputy Election Commissioner. On the night of July at 2:00 p.m., Clay Orbesen was vilified by this man. There was also a third party, Mr. Gary DeBell, on this line who witnessed the conversation. The conversation regarded Stan Sansone. Mr. Orbesen was trying to find out from Mr. Lawless if Mr. Sansone was a legally enrolled voter of the Democratic party in the 3rd Congressional District. The first question Mr. Orbesen asked was: "If a person had not voted in two consecutive general elections, would he still be a duly enrolled voter?" Mr. Lawless said he would look it up in the election law book. He said no, but would not tell me where this section was in the election law book. The second question Mr. Orbesen asked was: "If a person had not voted in the General Election, would he be eligible to get signatures for a designation petition? Would you look that up in the election law book?" Mr. Lawless said yes, "now you tell me," "That question is not in the law book," he stated. "I'll look it up in the law book." Mr. DeBell was a witness that night on the third line. Mr. Orbesen wanted to know if Mr. Lawless was a public servant to let me know what Mr. Orbesen and/or Mr. DeBell's Committee advised you for me for that matter. Because we are a public servant, we are not to be in violation of the election and to the community. We respect the law and we believe that we have had, and the public servant that we have received, Mr. DeBell, to let me know what Mr. Lawless said that actions he takes to support this situation that still exists with the County Board of Elections.

As late as today we had further problems. Phone calls were placed by Committee members or prospective Committee members seeking information as to their eligibility. Each person was refused information by Clerk Foster and Commissioner Romeo. They were told to come in. This would mean a 60 mile return trip for several of them. Needless to say, we didn't get the information and several people have not joined the committee--all a direct result of their obstinacy.

Further, today, an Eliza Gentile called the Onondaga County Board of Elections and was told they could not find her registration listed at all. She had registered on approximately the 8th of June, 1978 at Syracuse Fowler High School in a drive for registration by the Onondaga County Board of Elections at said school. We were also told that Independents registered on or before August 7, 1978 can gather petition signatures for an Independent petition for the formation of a new party and a candidate for same in the upcoming fall general election.

73740080514

WE, THE UNDERSIGNED, Committee to Elect Clarence Kadys, charge the Onondaga County Board of Elections with:

- 1. Giving false information
- 2. Poor service for our Committee
- 3. Vilifications of Committee workers, the Committee itself, and the candidate, Clarence J. Kadys

NAMELY:

- 1. Richard Romeo--Democratic Commissioner of Elections
- 2. Dick Lawless--Democratic Deputy Commissioner of Elections
- 3. Barbara Hass--Clerk
- 4. Jane Foster--Clerk
- 5. Norma Burkett--Clerk

We also ask for the removal of Richard Lawless as Democratic Deputy Commissioner of Elections.

73040080515

Clay Arneson

Stanley ...

Steven M. Grant

Kevin Strader

Gary ...

Chris ...

Clarence J. Kadys

THE ABOVE ARE TRUE & CORRECT SIGNATURES BEFORE

NOTARY PUBLIC

AUG. 15, 78
SYRACUSE N.Y.

RAYMOND J. BORDYNSKI
Notary Public in the State of New York
Qualified in Onond. Co. No. 580988
My Commission Expires March 30, 1980

1000
M. State Street
Racine, WI 53400



PRIORITY

FIRST CLASS

Federal Reserve Commission
Office of the Comptroller
1200 K Street NW
Washington, D.C. 20549

79 JUN 4 12:07

79 JUN 18 15 15

FIRST CLASS

CERTIFIED
No. 007818
MAIL

PRIORITY

FIRST CLASS

Return Receipt Requested



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 673

11/24/78 GPC

79710087517





FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF TMR # 673

Date Filmed 12/19/78 Camera No. --- 2

Cameraman APC.

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7 6 1 0

UUCR 673-D Brown

PS Form 3811 Apr 1977 RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse

1. The following service is requested (check one).
 Show to whom and date delivered C
 Show to whom, date, and address of delivery C
 RESTRICTED DELIVERY Show to whom and date delivered C
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES!)

2. ARTICLE ADDRESSED TO
 Clarence J. Knapp
 1912 W. Genesee St.
 Syracuse, N.Y. 13204

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 445061

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 (Signature of authorized agent)

4. DATE OF DELIVERY 9-8-78

5. ADDRESS (Complete only if requested)
 1912 W. Genesee St.

6. UNABLE TO DELIVER BECAUSE

POSTMARK SEP 8 1978
 CLERK'S INITIALS

1 5 8 0 0 1 1 0 2



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

September 5, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clarence J. Kadys
1912 W. Genesee Street
Syracuse, New York 13204

RE: MUR 673

Dear Mr. Kadys:

The Federal Election Commission has reviewed your complaint dated August 3, 1978 and determined that on the information provided in your complaint, the Commission has no jurisdiction over the allegations stated.

Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 673.

Sincerely,

William C. Oldaker
General Counsel

73040730854
73040787430

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Onondaga County Board of Elections)

MUR 673

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 23, 1978, the Commission determined by a vote of 6-0 to adopt the recommendation of the General Counsel to take the following actions in the above-captioned matter:

1. Find no reason to believe that a violation of the Federal Election Campaign Act, as amended, has been committed.
2. Close the file.
3. Send the letter attached to the General Counsel's First Report.

Attest:

8/25/78

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

78710030855
79040087431

August 17, 1978

MEMORANDUM TO: Marge EMMONS
FROM: Elise T. Carr
SUBJECT: MUR 673

Please have the attached First General Counsel's Report on MUR 673 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040080857
~~70040000407~~

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL AUG 17 1978
BY OGC TO THE COMMISSION AUG 17 1978

MUR NO. 673
DATE COMPLAINT RECEIVED
BY OGC _____
STAFF _____
MEMBER Duane Brown

COMPLAINANT'S NAME: Clarence J. Kadys

RESPONDENT'S NAME: Onondaga County Board of Elections

RELEVANT STATUTE: None

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

In a notarized complaint dated August 3, 1978, complainant alleges that the respondent, a local elections board, provided his campaign committee with false information and poor service. As reflected in the attached complaint, the complainant did not cite any particular provision of the Act or of the regulations, as the basis of his complaint.

ANALYSIS

The Commission has no jurisdiction over this matter.

RECOMMENDATION

1. Find no reason to believe that a violation of the Act has been committed and close the file.
2. Send attached letter.

805059
MUR 673

Dear Sir:

We are filing a complaint against the Onondaga County Board of Elections concerning their lack of service, their misleading information, and their employees that have continually vilified the members of the Committee to Elect Clarence Kadys for Congress in the 33rd Congressional District of New York State and the candidate himself.

From the beginning of the campaign, we have constantly had problems with the Onondaga County Board of Elections, particularly with an employee by the name of Richard Lawless, Deputy Commissioner. The first day that Mr. Clay Orbesen, Campaign Organizer, met with Mr. Lawless was during approximately the last week of June when Mr. Orbesen went down to pick up the registration booklets from the Onondaga County Board of Elections. Mr. Lawless stated many negative remarks about our candidate. Such remarks as "Mr. Kadys has nothing on the ball," "he doesn't have a chance," and other definite statements were made demeaning to Mr. Kadys' character. It is all right to voice one's personal opinion: But not if you're a public servant working on taxpayer's time, on county property, and his job is to give answers to questions people may ask. It is not for Mr. Lawless to give a 100% biased opinion, as he did, which in turn may inevitably turn the voter off towards the candidates and may also give them a reason for not voting in the primary and in the general election.

This Board of Elections should have service as one of their main objectives. Unfortunately, when our committee calls up to get information (such as what ward and election districts people live in), the Onondaga Board of Elections says that they will not give even one name or any information over the phone. This means for every question we have, we must go down to their office and look up the information ourselves. We can't call and ask all or any of our questions at once. We can't understand how the Onondaga County Board of Elections can do this, while the Cayuga County Board of Elections or any other county Board of Elections will give information on as many as 170 different legislative districts and precincts on various people at once. This is the difference between the two. One is willing to help the people, while the other deliberately turns the tax-paying voter away.

7 9 7 1 0 0 3 0 8 5 7
7 9 7 1 0 0 3 0 8 5 7

We have had many incidents dealing with this problem of poor service. The primary clerks that we have been given poor service from are: Jane Foster; Norma Burkett; Barbara Hass. The following people from the Committee to elect Clarence Kadys have made numerous unnecessary phone calls: Clay Orbesen, Campaign Organizer; Kevin Strader, Advance Man; Chris Kianka, Committee Worker; and Donna Roth, Committee Worker. The poor service is lack of information and wrong information concerning voter's eligibility, and voter registration status.

Another problem that we have had is when Stan Sansone, a Committee worker, went down to find out if he was still a registered voter. He had registered on approximately August 25, 1976 at the Syracuse Vocational High School on the corner of Otisco and Oswego Streets but had not voted in the general election of 1976 and 1977. Mr. Sansone went down to the Onondaga County Board of Elections and asked them if it were permissible that he circulate petitions. They told him he had not registered. He insisted they had in fact registered him. However, they issued him another registration card and told him that he could go out and get signatures for a designating petition immediately. This information was given and the registration card was issued by a clerk named Barbara Hass on the 21st of July at 11:00. After the Committee for Kadys was told this information, Mr. Orbesen called up the New York State Board of Elections on the 24th of July and spoke with Assistant Executive Director, George Palmer. Mr. Palmer said, "A person could go out to get signatures for a designating petition only if he was registered and enrolled 60 days prior to the primary, or 30 days if he fell under the special enrollment clause." Unfortunately, Mr. Sansone did not register within 60 days of the primary and was not a special enrollee. This meant that he was not eligible to get signatures for our candidate. This cost us much time, loss of signatures and money because he was not given the proper information. Since there has been misleading information and poor service given to our Committee, we were forced to find all information that we needed through many calls to Albany. This was at a great financial expense because of the long distance phone calls and the time involved.

On the 24th of July at 12:35, Mr. Sansone returned to the Onondaga County Board of Elections to find out if the information he had received was absolutely correct. While Mr. Sansone was there, he asked the clerk to again try to relocate his registration card from 1976. She was unable to locate this card. While she

7 9 1 0 0 3 0 8 6 0

~~2 9 9 1 1 2 3 2 4 8 5~~

was checking the books, Mr. Dick Romeo, Commissioner of Elections, came over and started speaking with Mr. Orbesen, Mr. Sansone and the clerk that was there. In reference to the clerk not finding the registration card of Mr. Sansone, Mr. Romeo said to Mr. Sansone, "You didn't ever register." He didn't say that there might have been an error in the registration process. Instead he came out POINT BLANK and strongly insinuated that Stan Sansone was not telling the truth about his registration. Mr. Sansone's reply to this statement was, "I can understand that there might be some kind of confusion in finding my card, or that there might have been some kind of error with the entree of my registration, but one thing I don't understand is when someone calls me a liar." Mr. Sansone and Mr. Orbesen left the Onondaga County Board of Elections at 1:15 p.m.

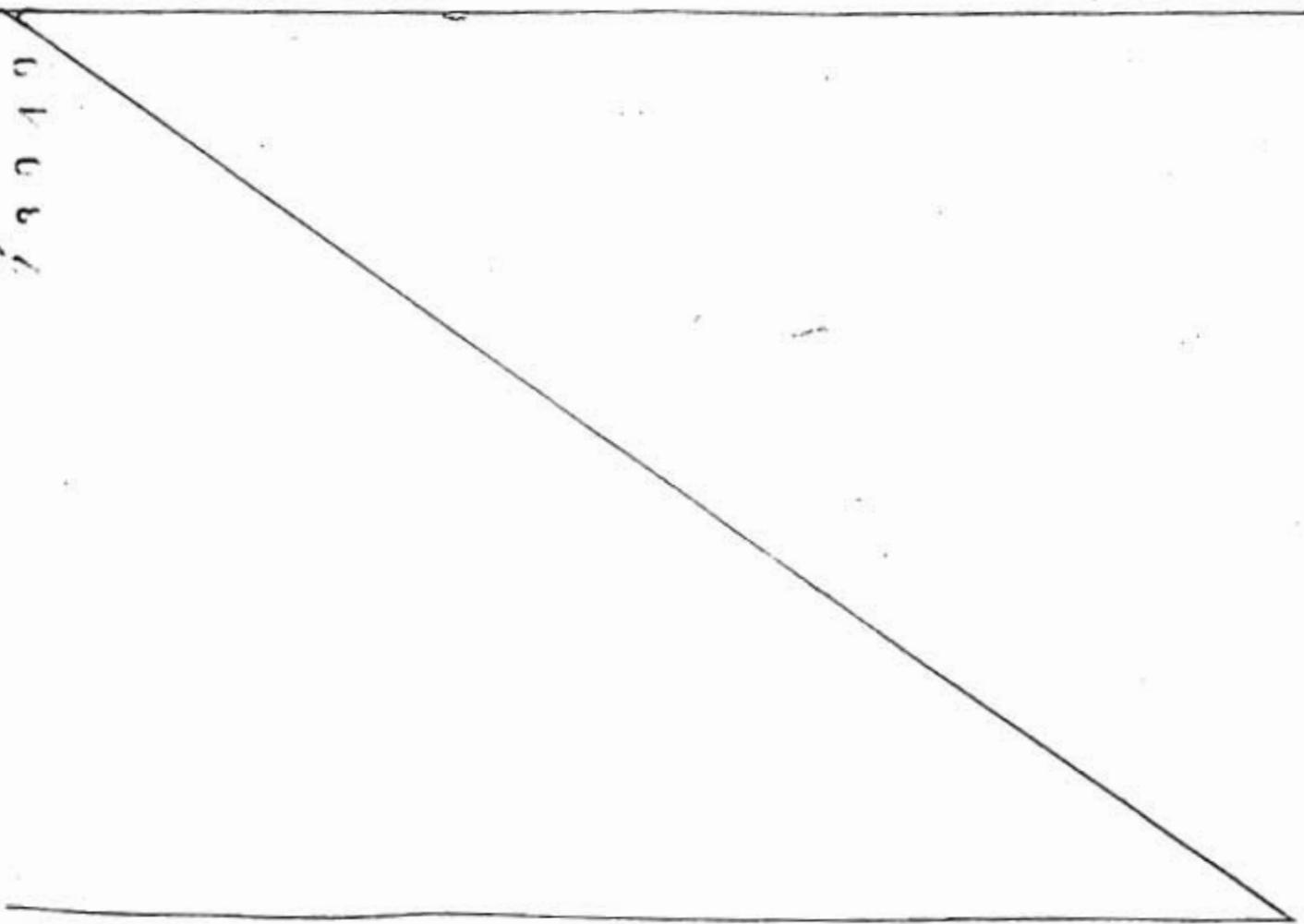
The main person we have been having problems with is Mr. Richard Lawless, Deputy Election Commissioner. On the 21st of July at 2:00 p.m., Clay Orbesen was vilified by this man. There was also a third party, Mr. Gary DeDell, on this line who witnessed the conversation. The conversation regarded Stan Sansone. Mr. Orbesen was trying to find out from Mr. Lawless if Mr. Sansone was a legally enrolled voter of the Democratic party in the 3rd Congressional District. The first question Mr. Orbesen asked was: "If a person had not voted in two consecutive general elections, would he still be a duly enrolled voter?" Mr. Lawless said he would look it up in the election law book. He said no, but would not tell me where this section was in the election law book. The second question Mr. Orbesen asked was: "If a person had not voted in one General Election, would he be eligible to get signatures for a designating petition? Would you look this up in the election law book?" Mr. Lawless got very, very upset and said, "That question is dumb." Then he stated on the phone, "ANYONE INVOLVED WITH KADYS IS LACKING SOMETHING TO BE DESIRED." Mr. DeDell was a witness listening on the third line. For a public servant to insult and degrade Mr. Orbesen and/or Kadys' Committee and/or Kadys (or anyone for that matter) because we are seeking information, we feel this is an injustice to the caller and to the community. In respect to all the problems that we have had, and the vilification that we have received, We, the Committee to Elect Clarence Kadys, ask that actions be taken to correct this situation that still exists with the County Board of Elections.

7 9 0 4 0 0 3 1 8 6 1
7 9 0 1 0 0 8 0 4 8 7

As late as today we had further problems. Phone calls were placed by Committee members or prospective Committee members seeking information as to their eligibility. Each person was refused information by Clerk Foster and Commissioner Romeo. They were told to come in. This would mean a 60 mile return trip for several of them. Needless to say, we didn't get the information and several people have not joined the committee--all a direct result of their obstinacy.

Further, today, an Eliza Gentile called the Onondaga County Board of Elections and was told they could not find her registration listed at all. She had registered on approximately the 8th of June, 1978 at Syracuse Fowler High School in a drive for registration by the Onondaga County Board of Elections at said school. We were also told that Independents registered on or before August 7, 1978 can gather petition signatures for an Independent petition for the formation of a new party and a candidate for same in the upcoming fall general election.

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 8 6 2
 8 7 4 9 3



WE, THE UNDERSIGNED, Committee to Elect Clarence Kadys, charge the Onondaga County Board of Elections with:

- 1. Giving false information
- 2. Poor service for our Committee
- 3. Vilifications of Committee workers, the Committee itself, and the candidate, Clarence J. Kadys

NAMELY:

- 1. Richard Romeo--Democratic Commissioner of Elections
- 2. Dick Lawless--Democratic Deputy Commissioner of Elections
- 3. Barbara Hass--Clerk
- 4. Jane Foster--Clerk
- 5. Norma Burkett--Clerk

We also ask for the removal of Richard Lawless as Democratic Deputy Commissioner of Elections.

Clay Orbesen

Clay Orbesen

Stanley Sansone

Stanley Sansone

Steven M. Grant

Steven M. Grant

Kevin Strader

Kevin Strader

Gary DeDell

Gary DeDell

Chris Kianka

Chris Kianka

Clarence Kadys
Clarence J. Kadys

THE ABOVE ARE TRUE & CORRECT SIGNATURES BEFORE

NOTARY PUBLIC

Raymond J. Bordynski

AUG. 15, 78
SYRACUSE N.Y.

RAYMOND J. BORDYNSKI
Notary Public in the State of New York
Qualified in Onon. Co. No. 5387308
My Commission Expires March 30, 1980

73040080861



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clarence J. Kadys
1912 W. Genesee Street
Syracuse, New York 13204

RE: MUR 673

Dear Mr. Kadys:

The Federal Election Commission has reviewed the allegations of your complaint dated August 3, 1978 and determined that on the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 673.

Sincerely,

William C. Oldaker
General Counsel

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600 4470

RECEIVED
FEDERAL ELECTION
COMMISSION

18 AUG 14 AM 10:12

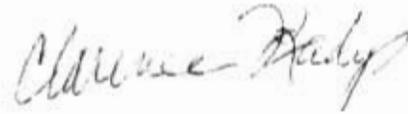
000011

August 10, 1978

Dear Commissioner of the Federal Election Commission;
Dear Commissioner of the N.Y.S. Board of Elections;
Dear N.Y.S. Secretary of State:

In our sworn affidavit sent to you yesterday,
we inadvertantly forgot to include the news article
mentioned in our letter. We sincerely regret
this oversight and are enclosing this article at
this time.

Sincerely,



Clarence J. Kadys
1912 West Genesee St.
Syracuse, NY 13204

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2 3 7 4 0 0 8 0 4 2 1

Kadys files objections

Clarence Kadys, candidate in the Democratic primary election for Congress in the 33rd District, has filed specific objections against designating petitions filed by Democratic candidate Roy A. Bernardi.

Kadys said the objections deal with signatures for the same person in different handwriting, husbands or wives signing for their mates, and people signing petitions two or more times.

Bernardi denied the allegations and said his campaign team will have specific objections against designating petitions filed by Kadys with the State Board of Elections in Albany.

Bernardi filed a general objection but the registered letter reportedly was lost in the mail. Bernardi said he has a receipt for the letter from the post office, which is tracing the piece of mail.

Last week Kadys charged the Democratic County Committee expended committee funds in petition drives for several candidates.

Richard A. Romeo, committee secretary, said the allegations are false since an independent committee, established six weeks ago to promote candidates in the primary election, expended the funds.

Kadys reiterated the charge and pointed out a letter written on county committee stationery, and signed by Richard Parkinson, city chairman, and Gus Arabadjis, towns chairman, asked town and ward chairmen to appoint liaison coordinators to keep the county committee candidates informed of any activities taking place in the coordinator's town or ward.

included with the letter was a list of Democratic candidates designated by the party, which didn't include Kadys' name.

He also said committee members were paid to collect petition signatures, but Romeo said the independent committee paid for the collection of signatures.

7 9 0 1 0 0 3 0 8 5 6

August 8, 1978

Dear Sir:

I hereby charge the Onondaga Democratic Committee with discrimination and use of party funds under section 2-126 of the New York State Election Law in the promotion of a nominated candidate before the primary has been held. Namely, the enclosed news article points out Mr. Roy Bernardi as mentioned. Obviously, there was a cost for the time to make up this press release, postage for same, typing and stationery.

The news release sent to the Syracuse Herald-Journal and the Syracuse Post-Standard on Onondaga Democratic Committee stationery. Further, there is no mention of Mr. Clarence Kadys, Democratic candidate for Congress in the 33rd Congressional District who opposes Mr. Bernardi. And there is an inference that the price of admission will be used for the campaign of only those mentioned. Mr. Kadys is excluded for two primary reasons:

1. He was not invited, and
2. The party in its original letter to the towns and wards did not indicate that he was a candidate.

The money will be used for the promotion of these candidates as has already been done and as the article intends, is to be done to the detriment opposing same in primary. We ask that you immediately issue an order to cease and desist this type of publicity and this type of Committee expenditures by the Onondaga County Democratic Committee before irreparable damage is done. -, Clarence J. Kadys, hereby swear to the foregoing on the 8th of August, 1978

Clarence Kadys
Clarence J. Kadys
Congressional candidate
for the 33rd District of
New York State
1912 West Genesee Street
Syracuse, NY 13204

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79040030493

Wynn



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

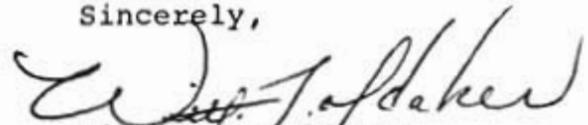
August 9, 1978

Clarence J. Kadys
1912 W. Genesee Street
Syracuse, New York 13204

Dear Mr. Kadys:

This is to acknowledge receipt of your complaint of August 1, 1978, alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely,


William C. Oldaker
General Counsel

Enclosure

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Purported:

- Page 34, Lines 5,6, towns written over, not initialed
- Page 35, Line 5 signature and/or instrument defective
Line 9 crossed out, not initialed,
Total signatures should be 9, entire sheet void
- Page 36 Notary Public signatures and lines crossed out not initialed
- Page 37 ditto comment on page 36 above
- Page 38 Line 5, date written over
Line 6,7,8 signature and/or writing instrument defective
- Page 40 Lines, 3,4,5,6 Dates written in April, too early
- Page 42 Witness date line, date written over, not initialed entire page invalid
- Page 43, Line 14 signature written over
- Page 44, Lines 5,6 signatures written by same hand
- Page 47, Line 1, Witness witnessed own petitioner's signature
Line 5, Signature written over
Notary public line crossed out, not initialed
- Page 48 Line 2, not same signature as at Board of Elections
- Page 48 Lines 7,8 signatures by same hand
- Page 49 Lines 1,2 signatures by same hand
Line 10, not a signature
- Page 50 Lines 1,2, signatures by same hand
- Page 52 Lines 6,7 signatures by same hand
Lines 14,15 signatures by same hand
Notary public signature crossed out, not initialed
- Page 53, Line 4, signature does not agree with that at the Board of Elections
- Page 54 Line 3, no ~~time~~ date
Is Board of Election Inspector allowed to get signatures? We were told no.
- Page 55 Line 6, date written over, not initialed
- Page 56 Lines 1,2,3,4,5,6 Dates written over, not initialed
- Page 57 Lines 1,2 written by same hand
Line 5 date unreadable, signature does not agree with that at Board of Elections
- Page 58 WHAT IS ~~WHAT~~ THE WAY A NOTARY PUBLIC IS REQUIRED TO FILL OUT AND FILE A PETITION
- Page 59 Notary Public did not x out last 8 lines to prevent additional signatures, entire petition invalid
- Page 60 Line 1, signature crossed out, not initialed, signature count should be 7
- Page 63 Line 5, signature does not agree with Board of Election signature
- Page 64 Lines 3,5 signatures do not agree with Board of Elections signatures
Lines 8,9,10,11 signed after witness signed. Entire page invalid
- Page 65 Line 3, petitioner did not sign on that date
Lines 5,6,7,8 Dates rewritten not initialed
All lines, toward crossed out, not initialed
Line 9 crossed out not initialed
Line 10,11,12 all signatures by same hand
Line 12 Witness signature for that of petitioner
- Page 66 Line 2, signature and/or instrument defective
Line 2,8 signature not same as that at Board of Election
Line 3 signature or writing instrument defective
Line 2, date defective

290403087

Purported:

4

Examination

- Page 67 Line 4 date defective, written over, not initialed
Line 6 signature does not agree with that at Board of Election
Line 11 crossed out, not initialed
- Page 70 Line 8, 10 signed after the date of witness. Those signatures are invalid or entire petition is invalid
- Page 72 Line 1 crossed out, not initialed
Line for signature total crossed out, not totaled
- Page 73 Line for witness date unreadable
Line 14, date purportedly after that of apparent date for witness
- Page 79 Line 11 & Line 13, Same signature, same name
- Page 80 Line 1 signature purportedly agrees with that of witness name signature at beginning of statement.
Line for witness signature different than those two lines mentioned above
Line 1, date unreadable, written over, not initialed.
Line 1, signed too early (6/9/78)
- Page 81 Line 2, witness signed for petitioner signature, same person
- Page 82 Line 1, not a signature
Is inspector of elections allowed to get signatures?
- Page 85 Line 5, crossed out, not initialed
signature total crossed out, not initialed, not readable
Notary public lines crossed out, not initialed
Is Board of Election Inspector allowed to get signatures?
- Page 86 Line 1, Signature of petitioner same as that of witness
Line 1, 2 dates illegible, purportedly too early (6/11)
Line 3, signature does not agree with that at Board of Election
Line 7, signer signed on sheet 86, and 87 signatures different
Notary Public line crossed out, not initialed
- Page 87 Line 1, Signer signed on page 86,
Line 1, signer witnessed own petition signature
Line 1, signer signed on page 86, signature different
Line 2, signature does not agree with that at Board of Election
Line 9, 10 signed by same hand
Line for Notary public filled in and not allowed
- Page 89 Line 1, signature not same as witness signature of page 86
Line 2, petitioner signature witnessed by same person BUT Signature differs, which is correct?
- Page 90 Line 1, signature different on page 89
- Page 91 Line 4, not same signature as witness on 114 page
- Page 92 Line 5, signature crossed out, different name, not initialed
- Page 93 Lines 5, 6 changed or traced signatures
witness signature not same as petitioner on sheet 95
- Page 94 Line 10, Signature not same as at Board of Election
- Page 95 Line 1, ^{a signature} not same as witness signature on Page 93
Line 4, signature not same as witness on page 98
- Page 96, Line 5, signature illegible, defective instrument, not same as signature in Board of Election
- Page 97 Can Election Inspector gather signatures
No ward or assembly district for witness

7301030871

Purported:

- Page 98 Witness signature not same as petitioner on page 95
 Page 99 witness block has changes, not initialed
 Page 100 Line 3, signature does not agree with that at Board of Election
 Line 9, crossed out not initialed
 Page 101 Line 1, crossed out not initialed
 total of petitioners written over, unreadable, not initialed
 witness signature not same as petitioner signature on page 91
 Page 102 all signatures and/or writing instrument defective
 can Board of Election Inspectors gather signatures?
 Page 103 Page # changed, not clear, not initialed
 Ward changed, not clear, not initialed
 Line 6, signature defective
 Line 13, 14 signatures signed by same hand, signatures do not agree with the records at Board of Election
 Page 104 Line 2 crossed out, not initialed
 signature total changed, not readable, not initialed
 Page 106 Line 1 crossed out, not initialed
 signature total changed, not readable, not initialed
 Page 107 Line 4, name crossed out, different, not initialed
 Page 108 Line 1 crossed out, not initialed
 signature total changed, not initialed
 Page 109 Last line in petitioner's signatures crossed out, not initialed
 signature total changed, City Changed, both not initialed
~~Page 110~~ led
 Page 110 9,10,11 signatures made in in May, illegal
 entire petition defective for above reason
 Line 14 crossed out, not initialed
 signature total changed, not initialed
 Page 111 Notary public filled out, but do not believe she is a notary, can't find on county or city records
 Page 112 Line 1 crossed out, not initialed
 Line 13 dated after witness date
 Page 114 Lines 8-15 not obliterated to prevent others from signing with notary public endorsement, entire petition defective
 Page 115 Witness signature does not agree with petition signature on line? signatures different or same
 signature total changed, not initialed
 Page 116 Line 7, witness signature does not agree with petitioner signature.
 Line 7 crossed out, not initialed
 Line 8, person did not sign on 7/3
 Notary public lines crossed out, Assembly Dist crossed out, signature total crossed out, none initialed
 Page 117 Line 3, didn't spell name correctly, signature does not agree with the Board of Election Records
 Line 11, signer says she did not sign on 7/3
 Page 118 Line 9, signature traced over, not initialed
~~Page~~ witness block has many cross-outs, none initialed
 Page 119 Line 3, date changed, not legible, not initialed
 Last petition line crossed out, not initialed
 Witness block has cross-outs, not initialed
 Page 120 Line 3, crossed out not initialed
 Signature total crossed out, not initialed

72040030871

Purported:

- Page 152 Notary public failed to block out blank lines to prevent additional signatures, entire petition invalid
- Page 154 Page No illegible
Line 1, Signature written over, not initialed, not legible
- Page 159 Date illegible, purported date (6/16) too early
- Page 160 Line 4, Signature does not agree with Board of Election records
Lines 9,10 signed by same hand
- Page 161 Line 5, signature does not agree with Board of Election records
- Page 162 Line 3, Signature illegible, does not agree with Board of Election Records
Line 6, ditto comment for line 3
Line 13, ditto above
Line 14, ditto above
Line 3,6, dates illegible
- Page 166 Line 1, crossed out, not initialed
Lines 2,3, signatures do not agree with Board of Elections records
Lines 9,11 ditto above
- Page 169 Lines 1,2 signature do not agree with Board of Election records
Wards deleted, changed, not initialed
- Page 171 Wards dleted, changed, not initialed
- Page 175 Top line, not dated
- Page 176 Signatures and/or writing instrument defective
- Page 177 Line 14, Mrs. incorrect title
Log district used, incorrect (witness block)
- Page 178 Line 8, no address
- Page 179 Lines 1,3,4 signatures do not agree with Election Board records
- Page 181 Witness block has changes, not initialed
- Page 182 Ditto marks used
~~Line~~ Line 4 has ditto marks
- Page 183 All 15 Lines, in same handwriting
- Page 184 Line 2, signature illegible
Line 5,6,7 signatures purportedly same hand writing
- Page 185 Line 5, same petition signature as that of witness
- Page 186 Wards and Election Districts show changes on lines 1-15
not initialed
Witness block has changes and cross outs, not initialed
- Page 187 Line 3 Signature does not agree with Board of Election records.
Confusion Between Wards column and ED column
- Page 188 Line 2 ditto marks
Line 4,5 same signature
Line 4, same signature as that of witness
- Page 189 Lines 1,2, cross outs, no initials
Lines 11, 12 same handwriting for signature
Witness date block has cross out, no initial
Line 15, signer did not sign on ~~the~~ 7/1/78
- Page 190 Line 2, signature does not agree with Board of Election records
Line 7,8 signed by same hand
Line 8, line 11 does not agree with Board of Election records
- Page 191 Lines 11, ~~12~~ signed by same hand
Line 10 petitioner and witness are same

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Parported:

- Page 198 Lines 1,2,3 no initials on cross outs
Lines 9,10 cross outs not initialed
Line 13, signature does not agree with Board of Election records
- Page 193 Line 6 petitioner and witness are one and the same
- Page 195 Line 1,2 written by same hand and signed by same
Line 1, correction not initialed
witness block correction not initialed
- Page 196 Not full name for witness, all petition signatures (12) invalid
- Page 197 Lines, 1,2,3,4,10,11 all have box numbers, addresses and election districts incomplete
- Page 198 Line 3, signature does not agree with Board of Election records
- Page 199 Lines 7,8,9 signatures purportedly by same hand
- Page 202 Lines 3,4,5, post dated after date of witness
Lines 3,4,5 written by same hand
- Page 203 Lines 2,3,4 post dated after date of witness
- Page 205 Line 1, no initial on correction
Line 12,13 written by same hand
- Page 206 Line 10 signature illegible and does not agree with Board of Election records
- ~~Page 207~~
- Page 207 Line 5,6 written by same hand
- Page 208 Lines 14,15 written by same hand
- Page 209 Line 1 petitioner and witness one and the same
Lines 12,13,14 signatures do not agree with same on file with Board of Elections
- Page 210 Lines 1,2 same handwriting for signature
Legislative district incorrectly used
Changes in ward column, not initialed
no assembly district in witness block
- Page 211 Line 7, signature dittoed, illegal
Line 10 signature does not agree with Board of Election records
Election District column has cross outs, not initialed
witness block has cross out, not initialed
- Page 212 Line 1,2, same handwriting
Lines 6,7 same handwriting
Line 8 signature does not agree with Board of Election records
Lines 10,11 written in same handwriting
witness block has correction, not initialed
- Page 213 Line 4, signature traced over, not initialed
- Page 214 Writing instrument defective
- Page 214 Notary public block filled in in error
- Page 215 Notary Public block filled in in error
- Page 216 Lines, 1,2,3,4,5,8,9,10,11 made out in same handwriting
- Page 217 Lines 4,5 in same handwriting
Line 1 crossed out, no initial
Ward column changed, no initial
- Page 220 Page no changed, illegible, not initialed
Line 4 deleted, not initialed
Line 10 signature does not agree with Board of Election records
Notary public block filled out in error
- Page 221 Line 10, signature does not agree with Board of Election records
- Page 222 Line 4, signature does not agree with Board of Election records

29710081877
7971008159

- Purported:
- Page 267 Line 2 deleted, not initialed
No. of signatures in witness block changed, not initialed.
- Page 270 Line 12, 13 signed by same hand
- Page 271 Signed in Notary Public block, deleted, not initialed
- Page 271 Date changed not initialed, entire petition void
- Page 272 Line 7 deleted, not initialed
- Page 272 No. of signatures changed, but not initialed
- Page 273 Lines 1, 3 deleted, not initialed
No. of signatures in witness block changed, not initialed
- Page 275 All void: witness block not filled out. Notary public in violation of law, accepted initials for signature; and in violation of law accepted a written over name (Lines 6, 7)
- Page 276 No. of signatures illegible
witness block filled out with defective instrument
- Page 278 and Page 279 signatures are similar from sheet to sheet
- Page 280 Line 1, not valid, no date
Line 5, crossed out, not initialed
Line 7, 8 illegible
Line 9 dated after date of witness
- Page 283 Lines 4, 5 written in same hand
Lines 6, 7 written in same hand
- Page 284 Filled in block of Notary Public, deleted same, and did not initial
- Page 286 Lines 1, 2 in same hand
- Page 287 Lines 2, 3 in same hand
- Page 287 Line 5, in same hand
Lines 8, 9 in same hand
- Page 288 Line 1, signature does not agree with that on record at Board of Election
- Page 290 Lines 1, 2, 3, 4, 5 have deletions with no initials
- Page 290 and 291 definitely signing two different names in same handwriting. Forgery!!!
- Page 291 All void, filled out in same handwriting by two people
- Page 292 Lines 8, 9 in same handwriting
- Page 293 Line 6, deleted, not initialed
Line 10, line 11 signers signed on another sheet
- Page 294 Can an Election inspector ~~xxxxxx~~ get signatures
Notary Public Block crossed out, not initialed
- Page 295 Lines 2, 4 illegible
Lines 6, 7 signed by same hand
Lines 8, 9 signed by same hand
- Page 296 Lines 7, 8 signed by same hand
Lines 8, 9 signatures do not match the records of the Board of Election
Lines 10, 11 signatures do not match the records of the Board of Election
- Page 297 Lines 1, 2 purportedly the same handwriting
- Page 298 Line 6, 7 writing instrument defective
- Page 299 Line 2, signature does not agree with Board of Election records
- Page 300 Signature in petition block does not appear to be the same as name of witness in witness block
- Page 302 Signature on line 8 does not match that at Board of Election

79040387
79040387

Purported:

- Page 302 Signature numbers crossed out, not initialed
- Page 303 Line 1 crossed out, not initialed
- Page 303 Number of signatures crossed out, not initialed
ALL petition void, all names lack complete addresses
- Page 305 Line 1,2 signed by same hand
Line 2 has incomplete address
- Page 305 Number of signatures changed with no initials
- Page 306 Line 2 deleted, not initialed
- Page 307 Line 1 signs petition and witness block
Line 2 signature does not agree with the record at the Board of Election
- Page 308, Petition illegible
Page number at bottom changed, not initialed
signatures illegible (defective writing transparent?)
- Page 310 Line 8 signature does not agree with Board of Election records
- Page 311 All signatures lack complete address. Scattered names
- Page 313 Line 3,4 signed by same hand
Line 5,6 signed by same hand
Line 7,8 signed by same hand
- Page 314 Notary public on page 375 signature does not agree w/7
- Page 315 Line 4, not a signature
- Page 316 All signatures purportedly signed by same hand
scratch 7
- Page 316 Line 2 signature does not agree with Board of Election records
- Page 319 Line 4,8 last name differs, one is correct, one is not or is incomplete
- Page 320 Line 3 signature does not agree with Board of Election records
Line 8, 9, 10 deleted, no initials
Line 11,12 signed by same hand
Line 13,14 signed by same hand
- Page 321 Line 7,8 signed by same hand
Line 10,11 signed by same hand
- ~~Page 322~~ Line 4 illegible signature
Line 5,6 illegible signatures
- Page 323 Line 2,3 signed by same hand
Line 4 deleted, no initials
no of signatures changed, with no initials
- Page 324 Line 1 deleted, no initials
various signatures purportedly appear to be the same
signature block number changed, not initialed
- Page 325 Line 1,2 signed by same hand
Line 1, deleted, not initialed
signature number changed, not initialed
- Page 326 Line 2 deletion, not initialed
Line 6,7 same handwriting
- Page 327 are election inspectors allowed to collect signatures?
Notary public block filled out incorrectly, then deleted
not initialed
- Page 328 Lines 1,2 signed by same hand
Lines 3,4 signed by same hand
Lines 5,6 signed by same hand
- Page 329 Line 1 signature does not agree with Board of Election records
Line 2 deleted, not initialed
Line 6,7 signed by same hand
- Page 330 Election district, line 1 changed, not initialed

7 2 0 1 0 7 3 7 8 3 0
2 0 7 1 0 3 7 5 7 5

I certify that what has been written in and during the past eleven pages is true and correct to the best of my belief, so help me God.

I further state that what has been purported, and that is all of the foregoing has been ascertained by myself and members of my committee.

I further state that I am, on this 3rd day of August, in the year of our Lord, 1978, sending a copy of these charges to the said, Mr. Roy A. Bernardi, the Election Commissioner of New York State, The U.S. Election Commissioner, and Secretary of State for the State of New York Mario Cuomo, all under separate cover, by first class certified mail, using return receipt cards, and certificate numbers: 397826, 397827, 397837, 397838, respectively.

The signature as it appears below is mine, and is so witnessed.

73010031831
22210031831

Clarence Kadys

Clarence Kadys
Witness: [Signature]

12/11/83
12/11/83



SECRET

FIRST CLASS

FIRST CLASS

Form receipt requested
CERTIFIED
No. 17-20
MAIL

FIRST CLASS

13 AUG 7 PM 1 20

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ACC 4414

RECEIVED
FEDERAL ELECTION
COMMISSION

78 AUG 8 AM 11:55
August 5, 1978

005159

Mr. William Cloaker
General Counsel
Federal Election Commission
Washington, D.C. 20543

Dear Mr. Cloaker:

In response to your letter of Aug. 2, 1978, and in compliance with your request in your letter, I will respond in full to complaints that I have sent to you in the time this date.

Thank you for the copy of the Federal Election Commission act and the copy of your Commission's regulations.

After careful review of these two books, you will be receiving from me.

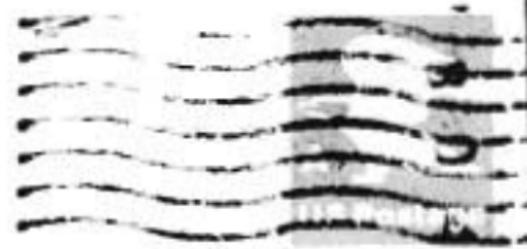
Sincerely,

Clarence R. Kops
Clarence R. Kops
1-12 W. Geneva
Syracuse, N.Y. 13204

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79740780881

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FEDERAL ELECTION
COMMISSION



'78 AUG 5 AM 11:55

The Honorable
Senator Bill E.
Jesse Helms, R-NC
Washington, D.C. 20541

1171831

1912 W. Genesee St.
Syracuse, NY 13204

August 1, 1978

GC# 4371

FEDERAL ELECTION
COMMISSION

805059

Dear Sir:

We are filing a complaint against the Onondaga County Board of Elections concerning their lack of service, their misleading information, and their employees that have continually vilified the members of the Committee to Elect Clarence Kadys for Congress in the 33rd Congressional District of New York State and the candidate himself.

179 AUG 4 PM 12:07

From the beginning of the campaign, we have constantly had problems with the Onondaga County Board of Elections, particularly with an employee by the name of Richard Lawless, Deputy Commissioner. The first day that Mr. Clay Orbesen, Campaign Organizer, met with Mr. Lawless was during approximately the last week of June when Mr. Orbesen went down to pick up the registration booklets from the Onondaga County Board of Elections. Mr. Lawless stated many negative remarks about our candidate. Such remarks as "Mr. Kadys has nothing on the ball," "he doesn't have a chance," and other definite statements were made demeaning to Mr. Kadys' character. It is all right to voice one's personal opinion; But not if you're a public servant working on taxpayer's time, on county property, and his job is to give answers to questions people may ask. It is not for Mr. Lawless to give a 100% biased opinion, as he did, which in turn may inevitably turn the voter off towards the candidates and may also give them a reason for not voting in the primary and in the general election.

This Board of Elections should have service as one of their main objectives. Unfortunately, when our committee calls up to get information (such as what ward and election districts people live in), the Onondaga Board of Elections says that they will not give even one name or any information over the phone. This means for every question we have, we must go down to their office and look up the information ourselves. We can't call and ask all or any of our questions at once. We can't understand how the Onondaga County Board of Elections can do this, while the Cayuga County Board of Elections or any other county Board of Elections will give information on as many as 170 different legislative districts and precincts on various people at once. This is the difference between the two. One is willing to help the people, while the other deliberately turns the tax-paying voter away.

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We have had many incidents dealing with this problem of poor service. The primary clerks that we have been given poor service from are: Jane Foster; Norma Burkett; Barbara Hass. The following people from the Committee to elect Clarence Kadys have made numerous unnecessary phone calls: Clay Orbesen, Campaign Organizer; Kevin Strader, Advance Man; Chris Kianka, Committee Worker; and Donna Roth, Committee Worker. The poor service is lack of information and wrong information concerning voter's eligibility, and voter registration status.

Another problem that we have had is when Stan Sansone, a Committee worker, went down to find out if he was still a registered voter. He had registered on approximately August 25, 1976 at the Syracuse Vocational High School on the corner of Otisco and Oswego Streets but had not voted in the general election of 1976 and 1977. Mr. Sansone went down to the Onondaga County Board of Elections and asked them if it were permissible that he circulate petitions. They told him he had not registered. He insisted they had in fact registered him. However, they issued him another registration card and told him that he could go out and get signatures for a designating petition immediately. This information was given and the registration card was issued by a clerk named Barbara Hass on the 21st of July at 11:00. After the Committee for Kadys was told this information, Mr. Orbesen called up the New York State Board of Elections on the 24th of July and spoke with Assistant Executive Director, George Palmer. Mr. Palmer said, "A person could go out to get signatures for a designating petition only if he was registered and enrolled 60 days prior to the primary, or 30 days if he fell under the special enrollment clause." Unfortunately, Mr. Sansone did not register within 60 days of the primary and was not a special enrollee. This meant that he was not eligible to get signatures for our candidate. This cost us much time, loss of signatures and money because he was not given the proper information. Since there has been misleading information and poor service given to our Committee, we were forced to find all information that we needed through many calls to Albany. This was at a great financial expense because of the long distance phone calls and the time involved.

On the 24th of July at 12:35, Mr. Sansone returned to the Onondaga County Board of Elections to find out if the information he had received was absolutely correct. While Mr. Sansone was there, he asked the clerk to again try to relocate his registration card from 1976. She was unable to locate this card. While she

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was checking the books, Mr. Dick Romeo, Commissioner of Elections, came over and started speaking with Mr. Orbesen, Mr. Sansone and the clerk that was there. In reference to the clerk not finding the registration card of Mr. Sansone, Mr. Romeo said to Mr. Sansone, "You didn't ever register." He didn't say that there might have been an error in the registration process. Instead he came out POINT BLANK and strongly insinuated that Stan Sansone was not telling the truth about his registration. Mr. Sansone's reply to this statement was, "I can understand that there might be some kind of confusion in finding my card, or that there might have been some kind of error with the entree of my registration, but one thing I don't understand is when someone calls me a liar." Mr. Sansone and Mr. Orbesen left the Onondaga County Board of Elections at 1:15 p.m.

The main person we have been having problems with is Mr. Richard Lawless, Deputy Election Commissioner. On the 21st of July at 2:00 p.m., Clay Orbesen was vilified by this man. There was also a third party, Mr. Gary DeBell, on this line who witnessed the conversation. The conversation regarded Stan Sansone. Mr. Orbesen was trying to find out from Mr. Lawless if Mr. Sansone was a legally enrolled voter of the Democratic party in the 33rd Congressional District. The first question Mr. Orbesen asked was: "If a person had not voted in two consecutive general elections, would he still be a duly enrolled voter?" Mr. Lawless said he would look it up in the election law book. He said no, but would not tell us where this section was in the election law book. The second question Mr. Orbesen asked was: "If a person had not voted in one General Election, would he be eligible to get signatures for a designating petition? Would you look this up in the election law book?" Mr. Lawless got very, very upset and said, "That question is dumb." Then he stated on the phone, "ANYONE INVOLVED WITH KADYS IS LACKING SOMETHING TO BE DESIRED." Mr. DeBell was a witness listening on the third line. As a public servant to insult and degrade Mr. Orbesen and/or Kadys' Committee and/or Kadys (or anyone for that matter) because we are seeking information, we feel this is an injustice to the caller and to the community. In respect to all the problems that we have had, and the vilification that we have received, we, the Committee to Elect Clarence Kadys, ask that actions be taken to correct this situation that still exists with the County Board of Elections.

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As late as today we had further problems. Phone calls were placed by Committee members or prospective Committee members seeking information as to their eligibility. Each person was refused information by Clerk Foster and Commissioner Romeo. They were told to come in. This would mean a 60 mile return trip for several of them. Needless to say, we didn't get the information and several people have not joined the committee--all a direct result of their obstinacy.

Further, today, an Eliza Gentile called the Onondaga County Board of Elections and was told they could not find her registration listed at all. She had registered on approximately the 8th of June, 1978 at Syracuse Fowler High School in a drive for registration by the Onondaga County Board of Elections at said school. We were also told that Independents registered on or before August 7, 1978 can gather petition signatures for an Independent petition for the formation of a new party and a candidate for same in the upcoming fall general election.

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WE, THE UNDERSIGNED, Committee to Elect Clarence Kadys, charge the Onondaga County Board of Elections with:

- 1. Giving false information
- 2. Poor service for our Committee
- 3. Vilifications of Committee workers, the Committee itself, and the candidate, Clarence J. Kadys

NAMELY:

- 1. Richard Romeo--Democratic Commissioner of Elections
- 2. Dick Lawless--Democratic Deputy Commissioner of Elections
- 3. Barbara Hass--Clerk
- 4. June Foster--Clerk
- 5. Norma Burkett--Clerk

We also ask for the removal of Richard Lawless as Democratic Deputy Commissioner of Elections.

Clay Arbeson

Stanley Gonsky

Steven M. Grant

Kevin Stader

Gary DeBell

Chris Kiefer

Clarence J. Kadys

THE ABOVE ARE TRUE & CORRECT SIGNATURES BEFORE

NOTARY PUBLIC

Raymond J. Borynski

AUG. 15, 78
SYRACUSE N.Y.

RAYMOND J. BORYNSKI
Notary Public in the State of New York
Qualified in Onond. Co. No. 580920
My Commission Expires March 30, 1980

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 673

Date Filmed 12/19/78 Camera No. --- 2

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