



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR F. 1867

Date Filmed 10/29/86 Camera No. --- 2

Cameraman AS

86040614781

Duplicate Docs, Conciliation Matters,Routing slips, internal reports

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

☐ (1) Classified Information☐ (6) Personal privacy☒ (2) Internal rules and practices☐ (7) Investigatory files☒ (3) Exempted by other statute☐ (8) Banking information☐ (4) Trade secrets and commercial or financial information☐ (9) Well Information (geographic or geophysical)☒ (5) Internal Documents

Signed

John R. Dwyer

date

10/18/86

SUMMARY FILE CHECK-OFF

NUR #

1867
August 8, 1984

Date of Close-out Letters (Mailin..)

CONTENT CHECK-OFF

- ☒ Close-Out Letter(s)
- ☒ Final OGC Report or Memorandum or Conciliation Agreement(s)
- ☒ Respondent(s) Reply to Brief(s)
- ☒ General Counsel's Brief(s)
- ☒ Respondent's Reply to RTS Finding
- ☒ First General Counsel's Report
- ☒ Respondent's Reply to the Complaint
- ☒ Original Complaint(s) (If Any)
- ☒ Other Report or Correspondence*
- ☒ All Certifications**

John Drury

Preparer of the Summary File

Date

10/8/86

File Reviewed by

- * To be included if, in the opinion of the staff member, it is important.
- ** Certifications of Commission actions should be placed in the Summary File prior to the documents which formed the basis of the action and in reverse chronological order.

(Revised 7/5/83)

86040314783



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

perm
August 8, 1986

Charles A. Johnston, Esquire
P.O. Box 175
63 Second Street, S.W.
Carrollton, Ohio 44615

RE: MUR 1867
Carroll County
Democratic Central Committee

Dear Mr. Johnston:

8 6 0 4 0 3 1 4 7 8 4
This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact John Drury, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel


BY: Lawrence M. Noble
Deputy General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1986

Jessie C. Roberson, Jr., Esquire
65 East State Street
Columbus, Ohio 43215

RE: MUR 1867
Ohio Democratic Party
Federal Campaign Fund;
John Weithe, Treasurer

Dear Mr. Roberson:

On August 1, 1986, the Commission accepted the conciliation agreement signed by you on behalf of your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 441d(a)(3), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

86040514785

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Ohio Democratic Party)
Federal Campaign Fund)

MUR 1867

John Weithe, Treasurer)
)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Robert Jones. An investigation was conducted, and the Commission found probable cause to believe that the Ohio Democratic Party Federal Campaign Fund and John Weithe, Treasurer, ("Respondents") violated 2 U.S.C. § 441d(a)(3) by failing to include a proper disclaimer in political advertising for candidates who had not authorized such advertising.

NOW, THEREFORE, the Commission and Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding.

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent Ohio Democratic Party Federal Campaign Fund (hereinafter "ODP") is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent John Weithe is the treasurer of ODP.

86040514786

3. Respondents had an advertisement published advocating the election of certain candidates for federal office. These candidates did not authorize the respondents to publish such advertisement.

4. The respondents were required to include the disclaimer set out in 2 U.S.C. § 441d(a)(3) in the advertisement, but they did not do so, in violation of 2 U.S.C. § 441d(a)(3).

V. Respondents published an advertisement which lacked the disclaimer required by 2 U.S.C. § 441d(a)(3).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Hundred Fifty Dollars (\$250.00) pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date all parties hereto have executed the same and the Commission has approved the entire agreement.

86040514787

IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles M. Steele
General Counsel


Lawrence M. Noble
Deputy General Counsel

Date

8/7/86

FOR THE RESPONDENTS:


Jesse C. Roberson, Jr.
Counsel for the Respondents

July 18, 1986

86040514788

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Ohio Democratic Party
Federal Campaign Fund
John Weithe, Treasurer

MUR 1867

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 1, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 1867:

1. Approve the conciliation agreement with the Ohio Democratic Party Federal Campaign Fund and John Weithe, as treasurer, as recommended in the General Counsel's Report signed July 29, 1986.
2. Approve the letter, as recommended in the General Counsel's Report signed July 29, 1986.
3. Close the file.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

8/4/86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Wed.,	7-30-86,	12:46
Circulated on 48 hour tally basis:	Wed.,	7-30-86,	4:00
Deadline for vote:	Fri.,	8-1-86,	4:00

86040514789

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ohio Democratic Party

Federal Campaign Fund

John Weithe, Treasurer

)
)
)
)
)
)

MUR 1867 22 JUL 60 PM 2:46

SENSITIVE

GENERAL COUNSEL'S REPORT

BACKGROUND

Attached is a conciliation agreement which has been signed
by counsel for the respondents.

86040514790

86040514791

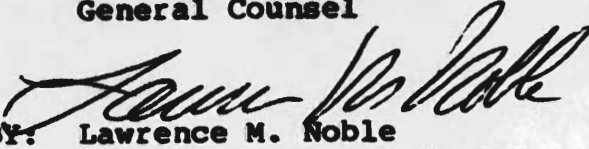
RECOMMENDATION

1. Approve the attached conciliation agreement with the Ohio Democratic Party Federal Campaign Fund and John Weithe, as treasurer.
2. Approve the attached letter.
3. Close the file.

Charles N. Steele
General Counsel

Date

7/29/86

BY: 
Lawrence M. Noble
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Proposed letters (2)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 12, 1986

Jessie C. Roberson, Jr.
65 East State Street
Columbus, Ohio 43215

RE: MUR 1867

Dear Mr. Roberson:

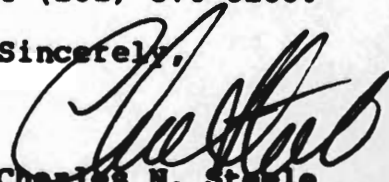
On June 10, 1986, the Commission determined that there is probable cause to believe that your clients committed a violation of 2 U.S.C. § 441d(a)(3), a provision of the Federal Election Campaign Act of 1971 in connection with failing to include a disclaimer in a political advertisement published on behalf of candidates who had not authorized such advertisements.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact John Drury, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

86040314792

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ohio Democratic Party Federal
Campaign Fund
John Weithe, Treasurer

MUR 1867

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of June 10, 1986,
do hereby certify that the Commission decided by a vote of
6-0 to take the following actions in MUR 1867:

1. Find probable cause to believe that the Ohio
Democratic Party Federal Campaign Account, and
John Weithe, as treasurer, violated 2 U.S.C.
§ 441d(a)(3).
2. Approve the conciliation agreement attached to
the General Counsel's report dated June 2,
1986,
3. Approve the letter attached to the General
Counsel's report dated June 2, 1986.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald,
and McGarry voted affirmatively for the decision.

Attest:

6-10-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

86040514793

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
SENSITIVE
COMMISSION SECRETARY

In the Matter of
Ohio Democratic Party
Federal Campaign Fund
John Weithe, Treasurer

)
)
)
)
)

MUR 18673 JUN 3

EXECUTIVE SESSION
JUN 10 1986

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On November 26, 1985, the General Counsel's brief was forwarded to the respondents (hereinafter "ODP"). This Office addressed ODP's liability under 2 U.S.C. § 441d(a), for failing to include the required disclaimer on its advertisement for federal candidates. ODP's brief was received on December 18, 1985.

II. LEGAL ANALYSIS OF RESPONDENTS' BRIEF

Respondents argue that under the Act and regulations, it was unnecessary for them to obtain authorization to make expenditures on behalf of the candidates involved, and therefore, they were not required to use a disclaimer. Alternatively, respondents claim that at the time of publication of the advertisement, they may have qualified as an authorized committee of the candidates, again with the result that no disclaimer was needed.

Respondents argue that under 11 C.F.R. § 102.13(b), § 110.7(a)(1), and § 110.7(b)(1), they did not need an authorization to expend funds on behalf of candidates for federal office. Section 102.13(b) provides that a candidate "is not required to authorize a national, State or subordinate State party committee which solicits funds to be expended on the candidates' behalf pursuant to 11 C.F.R. § 110.7."

86040514794

Section 110.7(a)(1) states that the national committee of a political party "may make expenditures in connection with the general election campaign of any candidate for President of the United States affiliated with the party." Under § 110.7(b)(1), "[t]he national committee of a political party, and a State committee of a political party, including any subordinate committee of a State committee, may each make expenditures in connection with the general election campaign of a candidate for Federal office in that State who is affiliated with the party."

In support of their assertion the respondents also cite 2 U.S.C. § 441a(d):

Notwithstanding any other provision of law with respect to limitations or expenditures ... a State committee of a political party, including any subordinate committee of a State committee, may make expenditures in connection with the general election campaign of candidates for Federal office

In addition, the respondents contend that under 11 C.F.R. § 100.5(f)(1), they may have qualified as an authorized committee at the time of publication. Section 100.5(f)(1) provides that "[a]n 'authorized committee' means the principal campaign committee or any other political committee authorized by a candidate under 11 C.F.R. § 102.13 to receive contributions or make expenditures on behalf of such candidate, or which has not been disavowed pursuant to 11 C.F.R. § 100.3(a)(3)." That last regulation states that an individual becomes a candidate for

86040314795

Federal office whenever, after receiving written notification by the Commission that any other person has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000 on the individual's behalf, the individual fails to disavow such activity by letter to the Commission. Respondents argue that since "[n]either ODP nor CCDP has been disavowed by any of the aforementioned candidates ... they should arguably qualify as authorized committees under 11 C.F.R. § 100.5(f)(1)."

Referring to the collection of statutes and regulations concerning candidate authorization of committees, the respondents state:

The scheme specifically provides authority for national, state and local parties to act as authorized political committees, an authority which is an exception to the general rules. National, state and local parties need not procure written authorizations to act on behalf of their own candidates. If a candidate should desire to disassociate himself from his party, he may do so by availing himself of the provisions of 11 C.F.R. § 100.3(a)(3).

Respondents' arguments ultimately miss the mark by mistakenly equating authorization to make expenditures in general with the requirement that material advocating the election of the candidate requires a disclaimer. The fact that Congress established Section 441d(a) as a separate statutory provision requiring disclaimers is evidence that Section 441a(d) and the

86040314796

regulations on authorization to make expenditures in general - 11 C.F.R. § 100.5(f)(1), § 102.13(b), and §§ 110.7(a) and (b) - were not intended as a substitute for the disclaimer requirements. The numerous regulations cited by the respondents do not control, or create an exception to, § 441d(a). The respondents' point that this was not an instance in which "the public might have been misled into any misconception of a nonexistent relationship between candidates for office and respondents" does not change the statutory requirements. The provisions of § 441d(a) are clear and ODP was required under § 441d(a)(3) to employ a disclaimer. Its failure to do so is a violation of the Act.

III. DISCUSSION OF CONCILIATION PROVISIONS AND PENALTY

86040514797

IV. RECOMMENDATIONS

1. Find probable cause to believe that the Ohio Democratic Party Federal Campaign Account, and John Weithe, as treasurer, violated 2 U.S.C. § 441d(a)(3).
2. Approve the attached conciliation agreement.
3. Approve the attached letter.

2 June 1986
Date



Charles N. Steele
General Counsel

Attachments
Respondents' Brief
Proposed Conciliation Agreement
Letter to Respondent

86040514798

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of :
:
Ohio Democratic Party : MUR 1867
Federal Campaign Account, :
John Weithe, Treasurer :

BRIEF OF THE OHIO DEMOCRATIC PARTY

I. Statement of the Case

8 6 0 4 0 3 1 4 7 9 9
The Ohio Democratic Party (hereinafter "ODP") received a letter from the Federal Election Commission (hereinafter "FEC"), dated January 2, 1985 and addressed to John Weithe, treasurer of the ODP Federal Campaign Account, notifying ODP that the FEC had received a complaint alleging violations by Weithe and the ODP Federal Campaign Account of the Federal Election Campaign Act of 1971 (See attached Exhibit A). The alleged complaint was actually a letter of inquiry from the Carroll County Republican Party (hereinafter "CCRP") asking FEC to advise CCRP whether it was legal for ODP and the Carroll County Democratic Party (hereinafter "CCDP") to have paid for an advertisement that supported, along with other state and local candidates, the candidacies of various Democratic candidates for federal office.

On January 24, 1985, counsel for ODP wrote to the General Counsel for FEC explaining that these were authorized coordinated expenditures of a State central and executive committee and a subordinate County central and executive committee and, as such, were provided for under 11 C.F.R. § 110.7. Attached to this letter were an affidavit and two exhibits acknowledging that the expenditures had been made, that ODP had acted as agent for the Democratic National Committee (hereinafter "DNC") in making the expenditures and supplying factual information about the advertisement.

By letter dated May 22, 1985, ODP was informed that FEC had determined there was reason to believe that Weithe and the ODP Federal Campaign Account had violated 2 U.S.C. § 441d(a). The FEC letter of May 22, 1985 made no mention of how the respondents had violated § 441d(a) and did not acknowledge that this characterization of the alleged violation was a departure from the original "complaint" raised in the OGRP letter of December 14, 1984. In letters dated June 6, 1985 and June 14, 1985, counsel for ODP replied that the expenditures were proper coordinated expenditures pursuant to 11 C.F.R. § 110.7 and that 11 C.F.R. § 100.7(b) and 11 C.F.R. § 100.8 are inapplicable to this case. Respondents also pointed out that under 11 C.F.R. § 102.13(b) "a candidate is not required to authorize national, state or subordinate committees if they are soliciting funds to expend on the candidate's behalf."

By letter dated November 26, 1985, FEC General Counsel forwarded to counsel for respondents a brief dated November 20, 1985 which recommended that FEC find probable cause that respondents violated 2 U.S.C. § 441d(a). These materials were received by counsel for respondents on December 2, 1985.

II. Argument

It is the position of respondents John Weithe and the ODP that they have violated neither the letter nor the spirit of the Federal Election Campaign Act. General Counsel for FEC has utterly failed to prove any such violation. Indeed, it is still unclear what constitutes the alleged violation(s).

Factually and legally, the Ohio Democratic Party is a controlling State central and executive committee, and the Carroll County Democratic Party is a subordinate County central and executive committee, as both are established under Ohio Revised Code, Section 3517.03. Mr. Weithe is the Treasurer of the State committee and, as such, Treasurer of its federal campaign account. Review of the involved general election advertisement discloses that, in part, it supported the Democratic candidates for President, Vice President, and Congressional representative from Ohio's 16th District, as well as the candidacies of numerous other Democrats seeking State and local office.

86040514801

In his brief, General Counsel for FEC acknowledges that ODP has documented its authority to act as agent for the DNC and concedes that payment for the advertisement was properly an expenditure by ODP. (General Counsel's brief, p. 4). It appears that the basis of his complaint is his assertion that ODP was not an "authorized committee" and, as an "unauthorized committee," was required to publish a specific type of disclaimer on the advertisement in order to comport with the Act. Respondents believe that the General Counsel's position is clearly erroneous. Under the Act, and its regulations, there was no need for specific authorization for the expenditure. In any case, the ODP and CCDF arguably satisfy the authorization requirements. Any other interpretation of this case would be antithetical to the spirit and purpose of the Federal Elections Act.

The General Counsel does not contest that DNC was authorized to make expenditures on behalf of Democratic candidates for federal office. ODP, and CCDF as its subordinate, made the contested expenditure as agent for DNC. Pursuant to 11 C.F.R. § 102.13(b), 11 C.F.R. § 110.7(a)(1) and 110.7(b)(1), neither DNC, ODP nor CCDF needed an authorization to expend funds on behalf of candidates for federal office. This is consistent with 2 U.S.C. § 441a(d) which provides in pertinent part:

Notwithstanding any other provision of law with respect to limitations on expenditures or limitations on contributions, the national committee of a political party and a State committee of a political party, including any subordinate committee of a State committee, may make expenditures in connection with the general election campaign of candidates for Federal office, subject to the limitations contained in paragraphs (2) and (3) of this subsection.

(emphasis added)

Therefore, subject to compliance with their reporting obligations, ODP and CCDF were political committees authorized to make these expenditures without the written authorization of any candidate. The General Counsel's assertion that a candidate's written authorization was needed (General Counsel's brief, p. 4) is simply wrong. At no point does his brief address or refute the clear statutory and regulatory authority for the actions taken here by respondents.

86040314802

Furthermore, ODP and CCDP were, arguably, authorized committees of the federal candidates whose names appeared in the advertisement pursuant to other provisions of the Code of Federal Regulations. Pursuant to 11 C.F.R. § 100.5(f)(1), the definition of an authorized committee includes a political committee "which has not been disavowed pursuant to 11 C.F.R. § 100.3(a)(3)." Neither ODP nor CCDP has been disavowed by any of the aforementioned candidates; hence, they would arguably qualify as authorized committees under 11 C.F.R. § 100.5(f)(1).

While the General Counsel is correct in asserting that the statutory and regulatory scheme gives candidates the ability to control which groups become authorized committees, he overlooks an important point. The scheme specifically provides authority for national, state and local parties to act as authorized political committees, an authority which is an exception to the general rules. National, state and local parties need not procure written authorizations to act on behalf of their own candidates. If a candidate should desire to disassociate himself from his party, he may do so by availing himself of the provisions of 11 C.F.R. § 100.3(a)(3). Any other reading of clear meaning and intent of these provisions is simply absurd.

In addition, the subject advertisement was a cooperative, coordinated effort of ODP, CCDP and Ms. Ruby C. Gilliam, the Mondale-Ferraro coordinator for Carroll County, Ohio. One of Ms. Gilliam's responsibilities was the placement of political advertising in Carroll County. Ms. Gilliam was aware of, reviewed and approved the content of the advertisement before it was published. (See attached Affidavit of Ruby C. Gilliam.) As such, the Carrollton Free Press advertisement reflects the express authorization of the appropriate Mondale-Ferraro representative.

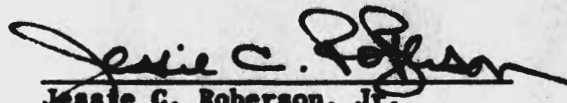
At no point in his brief does the General Counsel state what part of 2 U.S.C. § 441d(a) respondents have allegedly violated. Respondents assert that only 2 U.S.C. § 441d(a)(1) applies to the subject expenditures. Both ODP and CCDP qualify as political committees authorized to make expenditures for Democratic candidates as agents of DNC, under 2 U.S.C. § 441a(d) and under 11 C.F.R. §§ 103(a)(3); 100.5(f)(1), (f)(2); 102.13; and 110.7. As

such, ODP and CCDF were only required to clearly state that they paid for the advertisement. Application of Parts (a)(2) and (a)(3) of 2 U.S.C. § 441d to ODP and CCDF would be inconsistent with 2 U.S.C. § 441a(d) and the letter, spirit and purpose of the regulatory and statutory scheme.

This was not an instance of unauthorized activities by an independent committee. Nor was this an instance where the public might have been misled into any misconception of a nonexistent relationship between candidates for office and the respondents. The federal candidates mentioned in the advertisement at no point disavowed the activities of respondents and, in fact, worked with ODP and CCDF to produce the advertisement.

The General Counsel arrives at his recommendation by a disjointed, incomplete and inconsistent reading of the various statutory and regulatory provisions. The actions of ODP and CCDF were entirely consistent with the actual letter and spirit of the Act. Therefore, the Federal Election Commission should reject the recommendation of the General Counsel and refuse to find probable cause to believe that John Weithe, the Ohio Democratic Party and the Carroll County Democratic Party have violated 2 U.S.C. § 441(d)(a).

Date: 12/16/85


Jesse C. Roberson, Jr.



Carroll Co. Republican
Central & Executive Committee

G. C. #6036
DEC 15 8:45
EXHIBIT A

100 Anthony Road
Carrollton, Ohio 44601

NUM.
1837

Federal Election Commission
1000 ...
Washington, D.C. 20543

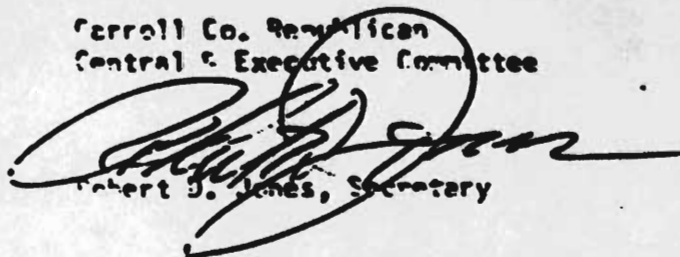
We are asking for clarification of the Federal Election Campaign Act. As we understand it, no state or local party committee funds can be used for advertising using radio, TV, billboards, or newspapers on behalf of the federal candidate(s).

Enclosed is an advertisement which appeared in the Nov. 1, 1984, edition of The Carrollton Free Press Standard that was paid for by the Ohio Democratic Party and the Carroll Co. Democratic Party promoting the federal candidates of the Democratic party.

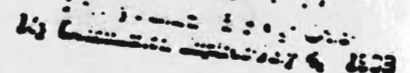
Would you advise us if this does violate the intent of the Federal Election Campaign Act?

Sincerely

Carroll Co. Republican
Central & Executive Committee


Robert J. Jones, Secretary

SWORN BEFORE ME THIS 14th DAY OF DEC. 1984.


Notary Public

86040614804



**Vote
For A Better Future**



Vote Democratic November 6th, 1984

**PRESIDENT AND VICE PRESIDENT
WALTER F. MONDALE**

GERALDINE FERRARO

STATE CANDIDATES

JAMES GWIN
For Representative to Congress
(16th District)

DOUGLAS APPEGATE
For Representative to Congress
(18th District)

ROBERT L. BURCH
For State Senator
(30th District)

WILLIAM E. HINIG
For State Representative
(97th District)
(Vote for not more than ONE)

WILLIAM E. MOORE
State Board of Education
18th District

COUNTY CANDIDATES

VAN SMITH
For County Commissioner
(Full Term Commencing 1-2-85)

ROBERT KELLOGG
For County Commissioner
(Full Term Commencing 1-2-85)

JOHN S. CAMPBELL
For Prosecuting Attorney

JAMES E. STULL
For Clerk of Court of Common Pleas

DOROTHY LEATHERBERRY
For County Recorder

DENTON T. TURNIPSEED
For County Treasurer

JUDICIAL

JOHN E. CORRIGAN
For Justice of the Supreme Court
(Full term commencing 1-1-85)

JAMES P. CELEBREZZE
For Justice of the Supreme Court
(Full Term Commencing 1-2-85)

JOSEPH E. O'NEILL
For Judge of the Court of Appeals
(7th District)
(Full Term Commencing 2-9-85)

WILLIAM T. ALLMON
For Judge of the Court of Common Pleas,
Juvenile and Probate Division
(Full Term Commencing 2-9-85)

**THANK YOU FOR VOTING DEMOCRATIC
YOU MAY TAKE THIS TO THE POLLS
PAID FOR BY THE CARROLL COUNTY DEMOCRATIC CENTRAL COMMITTEE
DEWEY E. BRECKENRIDGE, CHAIRMAN**

86040514805



Vote For A Better Future Vote Democratic November 6th, 1984

**PRESIDENT AND VICE PRESIDENT
WALTER MONDALE & GERALDINE FERRARO**

STATE CANDIDATES

JAMES GWINN

For Representative
to Congress
(16th District)

DOUGLAS APPLIGATE

For Representative
to Congress
(18th District)

ROBERT L. BURCH

For State Senator
(30th District)

WILLIAM E. NINIG

For State Representative
(97th District)

(Please for not more than 200)

WILLIAM E. MOORE

For Member of State Board
of Education
(18th District)

COUNTY CANDIDATES

VAN SMITH

For County
Commissioner

(Full Term Commencing 1-1-85)

ROBERT KELLOGG

For County
Commissioner

(Full Term Commencing 1-1-85)

JOHN S. CAMPBELL

For Prosecuting Attorney

JAMES E. STULL

For Clerk of Court
of Common Pleas

DOROTHY LEATHERBERRY

For County Recorder

DENTON T. TURNIPSEED

For County Treasurer

JUDICIAL

JOHN E. CORRIGAN

For Justice of the
Supreme Court

(Full Term Commencing 1-1-85)

JAMES P. CELEBREZZE

For Justice of the
Supreme Court

(Full Term Commencing 1-1-85)

JOSEPH E. O'NEIL

For Judge of the
Court of Appeals
(7th District)

(Full Term Commencing 2-1-85)

WILLIAM T. ALLMON

For Judge of the
Court of
Common Pleas

Juvenile and Probate Division

(Full Term Commencing 2-1-85)

CLIP

**THANK YOU FOR VOTING DEMOCRATIC
YOU MAY TAKE THIS TO THE POLLS
DEWEY E. BRECKENRIDGE, CHAIRMAN**

CLIP

Ruby G. Barron - Mondale Ferraro Co-ordinator - Paid for by the Ohio Democratic Party - James R. Boudle - Clerk

**Please call this phone number 863-1108 if you need ride
to the polls.**



JAMES S. GWINN
Representative to Congress
(16th District)

The 16th Congressional District has had unemployment rates 2-3% for the last four years and has received over 100 national awards again. Despite the problems have caused the unemployment while they give hope to people in the north and south.



DOUGLAS APPLGATE
Representative to Congress
(18th District)

Thanks for your support
 in the past. I appreciate
 your support on Nov. 6th.



WILLIAM T. ALLMON
Judge of the Court of
Common Pleas, Juvenile and
Probate Division

(Full Term Commencing 3-9-85)

Vote for a proven public servant who has given Carroll County twenty six years of law, impartial and consistent judicial service and who has served in the judicial, administrative and legislative branches of county and state government.



VAN SMITH
County Commissioner

(Full Term Commencing 1-2-85)

- U.S. Army Veteran
- Four Terms Leo Tug. Trustee
- Four Terms Director Carroll Electric Co-op
- Two Terms Carroll County Health Board
- Leo Tug. Dairy Farmer

8604034897



ROBERT L. BURCH
State Senator
(30th District)

- Attorney at Law
- Drug Addiction Attorney General
- County Campaign Manager for Senator John Burch 1988
- Attorney, National Labor Relations Board 1972-1980

**We Need a Positive Choice
For the Future!**



WILLIAM E. NINIG
State Representative
(97th District)

He gets the job done!



ROBERT KELLOGG
County Commissioner

For Term Commencing 1-3-89.

We know the job Robert Kellogg's done in the past, let's keep a progressive-minded Commissioner.



JOHN S. CAMPBELL
Prosecuting Attorney

The Prosecutor is the legal representative for the County, elected to serve the PUBLIC INTEREST not SPECIAL INTERESTS.

I am my duty to the public and the people of the County, and to serve the people of Carroll County, DAKOTA, HONESTLY AND EFFECTIVELY.



JOHN E. CORRIGAN
Justice, Ohio Supreme Court

EDUCATION

- Graduate St. Ignace High School
- Xavier University
- Cleveland Marshall College of Law

EXPERIENCE

- Judge, Cuyahoga County Court of Common Pleas
- Over 18 years of public service
- Former Assistant Ohio Attorney General
- Trustee Ohio Judicial College
- Presiding Attorney
- Notary
- Member Ohio National Guard



JAMES P. CELEBREZZE
Justice, Ohio Supreme Court

EDUCATION

- Graduate St. Edward High School
- Ohio State University
- Cleveland Marshall College of Law

EXPERIENCE

- Justice, Ohio Supreme Court
- Over 27 years of Public Service
- County Judge
- Former Judge, 9th District Court of Appeals
- Cuyahoga County Court of Common Pleas
- State Representative
- City Law Director & Prosecuting Attorney
- Notary



JAMES E. STULL
Clerk of Court
of Common Pleas

- 25 years accounting and management experience



DOROTHY LEATHERBERRY
County Recorder

My experience as County Recorder and public service in Banking and Credit Loan Business qualifies me to better serve you for another term as County Recorder.



JOSEPH E. O'NEIL
Court of Appeals
(7th District)
(Full Term Commencing 2-4-85)

Thanks for Voting
Democratic



DENTON T. TURNIPSEED
County Treasurer

- Lifelong resident of Augusta
- 9th year as Augusta Twp. Clerk

Doner

Aug. 7-85

Augusta Co. as
Term Board

DEMOCRAT



WALTER MONDALE
PRESIDENT

Ohio needs a President
with a clear vision for the
future
Mondale stands for a nuclear
freeze
Reagan supports continued
arms build-up
Mondale fights to protect
Social Security
Reagan has proposed cuts
Mondale tackles the deficit
head-on
Reagan thinks it will just go away
Mondale fights to protect
OHIO JOBS
Reagan lets imports flood the
market
**MONDALE-FERRARO...FOR
JOBS...FOR OHIO...FOR
AMERICA!**



GERALDINE FERRARO
VICE PRESIDENT

AFFIDAVIT OF RUBY C. GILLIAM

State of Ohio :
County of Carroll: ss.

Ruby C. Gilliam, being first cautioned and sworn, says that:

1) I was the duly appointed Mondale-Ferraro Coordinator for Carroll County, Ohio during the November 6, 1984 General Election.

2) As Carroll County Coordinator I was authorized and responsible for Mondale-Ferraro advertising in Carroll County during the 1984 General Election campaign.

3) As Mondale-Ferraro County Coordinator, I was aware of, reviewed and approved the content of the advertisement which appeared in the November 1, 1984 edition of the Carrollton Free Press and which is the subject of MUR 1867.

4) The advertisement supported, in part, the candidacies of numerous Democratic candidates seeking federal, state and local offices.

5) The aforementioned advertisement was paid for by the Ohio Democratic Party with funds of the Ohio Democratic Party federal campaign account and was a cooperative effort by myself, the Carroll County Democratic Party and the Ohio Democratic Party.

(6) At no point did I, nor, to my knowledge, has anyone else representing the Mondale-Ferraro committee, ever disavowed the Ohio Democratic Party or the Carroll County Democratic Party.

Affiant has personal knowledge of the facts hereinbefore set forth;
and

Further affiant sayeth naught.

86040514812

Ruby C. Gilliam
Ruby C. Gilliam

Sworn to before me and subscribed in my presence this 14th day of
December, 1985.

Michael C. Lohm
Notary Public
My commission expires Nov. 28, 1989.

86040614813



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 26, 1985

**Denise Mirman, Esquire
Alexander, Ebinger, Fisher,
McAlister & Lawrence
Twenty-Fifth Floor
1 Riverside Plaza
Columbus, Ohio 43215-2388**

**Re: MUR 1867
Ohio Democratic Party
Federal Campaign Account
John Weithe, Treasurer**

Dear Ms. Mirman:

Based on a complaint filed with the Commission on December 19, 1984, and information supplied by you, the Commission determined on May 14, 1985, that there was reason to believe that your clients had violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request in which to file a brief. The Commission will not grant any extensions beyond 20 days.

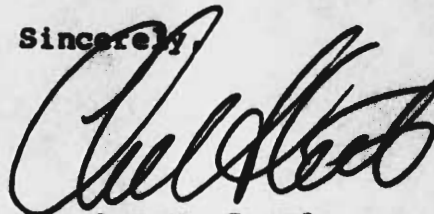
86040514914

Denise Mirman, Esquire
Mur 1867
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Paul Reyes, the staff member assigned to handle this matter, at (202) 523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

86040614815

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Ohio Democratic Party Federal)
Campaign Account,)

MUR 1867

John Weithe, Treasurer)

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

On May 14, 1985, the Federal Election Commission (hereinafter, the "Commission") found reason to believe that the Ohio Democratic Party Federal Campaign Account (hereinafter, "ODP") and John Weithe, as treasurer (hereinafter, collectively "respondents") violated 2 U.S.C. § 441d(a) by failing to include the proper statement of authorization on an advertisement published in a local Ohio newspaper. Respondents were notified of this determination by letter dated May 22, 1985. Respondents requested and were granted an extension of time in which to respond until June 10, 1985. Respondents' response dated June 6, 1985, was received on June 10, 1985 by the Commission and supplemented by a letter dated June 14, 1985, which was received by the Commission on June 18, 1985.

Respondents contend that no violation of 2 U.S.C. § 441d(a) occurred because ODP was an authorized committee of the named candidates and, therefore, the advertisement at issue properly stated only that it was "Paid for by the Ohio Democratic Party".

6
4
8
1
6
0
4
0
5
1
4
8
1
6

8 6 0 4 0 5 1 4 8 1 7

The Office of General Counsel contends that Respondents misconstrue the Federal Election Campaign Act of 1971, as amended (hereinafter, the "Act") and the Commission's regulations. This Office contends that Respondent Committee was not an authorized committee of any candidate and that no candidates or candidates' committees authorized the newspaper advertisement at issue. Therefore, Respondents violated 2 U.S.C. § 441d(a) by failing to state that the advertisement was "Paid for by the Ohio Democratic Federal Campaign Account and not authorized by any candidate or candidate's committee."

Section 441d(a) of Title 2, United States Code, requires that whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election...of a clearly identified candidate...through any newspaper...such communication must include an appropriate notice of payment and of authorization or non-authorization must be included in the advertisement.

The advertisement at issue was printed in a local Ohio newspaper and thus is an expenditure expressly advocating the election of various candidates.

Although the advertisement published by Respondents states: "Ruby Gilliam Mondale-Ferraro Coordinator-Paid for by the Ohio Democratic Party-James Ruvolo, Chm.", it fails to state whether or not any candidate or committee authorized the ad. Therefore,

a notice of authorization or non-authorization set forth in 2 U.S.C. § 441d(a) was required.

However, respondents contend that 2 U.S.C. § 441d(a)(1) applies in that the ODP was an "authorized committee" within the meaning of the Act and Commission regulations.

Respondents argue that since they were duly "authorized " by the Democratic National Committee/DNC Services Corporation (hereinafter, the "DNC") as an agent for making so-called coordinated party expenditures, under 2 U.S.C. § 441a(d), on behalf of the Democratic party nominees in the 1984 general election, that the ODP is presumed to be an "authorized committee" of the candidates whose election the ODP advocated.

No such presumption arises under the Act or Commission regulations. A State or local political party committee is not presumed to be an authorized committee of a candidate simply by virtue of making coordinated party expenditures pursuant to 2 U.S.C. § 441a(d).

Section 441a(d) provides that, within certain limitations, the national committee and the State Committee of a political party may make expenditures in connection with the general election campaign of candidates for Federal office. Section 441a(d) further provides that the national committee and the State Committee may make such expenditures through local subordinate political party committees. Respondents

8
1
4
6
0
4
0
5
1
4
6
8
9

documented an agency designation by supplying a copy of a letter, dated October 30, 1984, from Timothy W. Finchem, then Deputy Chairman of the DNC/DNC Services Corporation, to James Ruvolo, then Chairman of the Ohio Democratic Party. In the letter, the DNC designated the Party as its agent for "the exclusive purpose of making coordinated expenditures in connection with the Mondale/Ferraro 1984 general election campaign...". "Coordinated party expenditures" are so-called because the national or local committee may coordinate the purpose and timing, etc., of the expenditure with a candidate's campaign. However, the party committee must actually make the expenditure.

Section 100.5(f)(1) of Title 11, Code of Federal Regulations, provides that "authorized committee" means the "principal campaign committee or any other committee authorized by a candidate under 11 C.F.R. § 102.13 to receive contributions or make expenditures on behalf of such candidate...." Thus, while ODP's payment for the newspaper advertisement was properly an expenditure by ODP, by virtue of that payment, ODP did not become an "authorized committee" of any candidate. A candidate's written authorization is needed. ODP has supplied no evidence of such authorization.

Section 102.13 generally provides a procedure for the authorization of political committees by candidates. Section 102.13(b) provides that "[a] candidate is not required to

86040514819

authorize a national, State, or subordinate State party committee which solicits funds to be expended on the candidate's behalf pursuant to 11 C.F.R. § 110.7. Section 110.7 parallels 2 U.S.C. § 441a(d) detailing political party expenditure limitations.

Throughout this process of designation, coordination and expenditure, the party organization and the candidate's organization remain separate entities. The statutory and regulatory scheme makes clear that the candidate should be able to control which groups become "authorized committees."

In the instant matter, the party admits via the affidavit of James M. Carey, Political Director of ODP, that it paid for the newspaper advertisement. Mr. Carey's affidavit says that the advertisement was a coordinated expenditure pursuant to the DNC's designation and that it also supported another candidate as a matter of right. However, the ODP has supplied no evidence that it actually coordinated with any candidates who authorized the placement of this specific advertisement. To find such 'authorization', ODP misconstrues the meaning of 11 C.F.R. §§ 100.5(f)(1) and 102.13 to contend that it was an authorized committee of the candidates it supported. The fact that party committees do not need a candidate's permission to perform the historical role of a political party, i.e. raising and spending money on behalf of a party candidate and that they may coordinate these expenditures with the candidates, does not mean that the party committees which do so are "authorized committees" within the meaning of 11 C.F.R. § 100.5(f)(1).

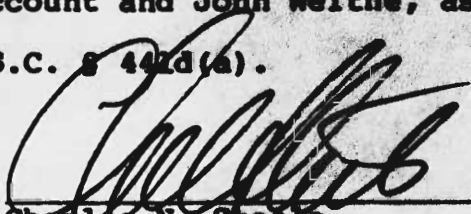
06040314820

Since the ODP was not an authorized committee of any candidate but only designated by the DNC as its agent for making expenditures under 2 U.S.C. § 441a(d), ODP's newspaper advertisement required an appropriate disclaimer as provided for by 2 U.S.C. § 441d(a)(3). The failure of the ODP to state, "Paid for by the Ohio Democratic Federal Campaign Account and not authorized by any candidate or candidate's committee," constitutes a violation of 2 U.S.C. § 441d(a).

III. General Counsel's Recommendations

1. Find probable cause to believe that the Ohio Democratic Party Federal Campaign Account and John Weithe, as treasurer, violated 2 U.S.C. § 441d(a).

20 Nov 1985
Date


Charles N. Steele
General Counsel

PR#3

86040514821



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 20, 1985

Charles A. Johnston, Esquire
Johnston and Stoneman
P.O. Box 175
63 2nd Street, S.W.
Carrollton, Ohio 44615

RE: MUR 1867
Carroll County Democratic
Central Committee

Dear Mr. Johnston:

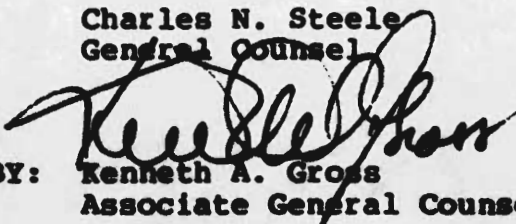
On September 13, 1985, the Commission accepted the conciliation agreement signed by you on behalf of your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Attachment
Conciliation agreement

88 58 04 40 56 14 29 42 92

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Carroll County Democratic)
Central Committee)

MUR 1867

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Robert D. Jones. The Commission found reason to believe that the Carroll County Democratic Central Committee ("Respondent") violated 2 U.S.C. § 441d(a) by financing a communication which was published in a newspaper and which advocated the election of Federal candidates but failed to state whether it was authorized by the candidates, and an investigation was conducted.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The CCDCC is a subordinate committee of the Ohio State Democratic Party.

88 56 07 44 00 56 61 14 28 52 03

2. The respondent financed a communication expressly advocating the election of Democratic candidates.

3. The communication was published in a local county newspaper at a cost of \$88.20.

4. The communication failed to state whether it was authorized by the candidates.

V. Financing a communication which expressly advocates the election of Federal candidates and which is published in a newspaper but which fails to state whether such communication is authorized by the candidates is in violation of 2 U.S.C. § 441d(a).

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one hundred fifty dollars (\$150), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees not to undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement

88 56 04 00 56 61 14 28 52 14

or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

September 18, 1985
Date

FOR THE RESPONDENT:

Charles D. Johnston
(Name)
(Position)

Legal Counsel
for Respondent

August 13, 1985
Date

88 56 07 40 56 61 14 28 52 25

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Carroll County Democratic
Central Committee

MUR 1867

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 13, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1867:

1. Accept the conciliation agreement attached to the General Counsel's Report signed September 4, 1985.
2. Close the file as to this respondent.
3. Approve and send the proposed letter attached to the General Counsel's Report signed September 4, 1985.

Commissioner Aikens, Elliott, Josefiak, McDonald and McGarry voted affirmatively in this matter; Commissioner Harris did not cast a vote.

Attest:

Sept. 13, 1985

Date

Caryl A. O'Hara
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:
Deadline for vote:

Tues., 9-10-85, 3:07
Wed., 9-11-85, 11:00
Fri., 9-13-85, 11:00

88 56 00 44 00 56 61 14 28 52 36

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Carroll County Democratic)
Central Committee)

MUR 1867

GENERAL COUNSEL'S REPORT

Background

Attached is a conciliation agreement which has been signed by counsel for the respondent.

The attached agreement contains no changes from the agreement approved by the Commission. A check for the civil penalty has been received.

Recommendation

The Office of General Counsel recommends the acceptance of this agreement, the closing of the file as to this respondent and approving and sending the attached proposed letter.

Charles N. Steele
General Counsel

September 4, 1985
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

Conciliation agreement
Photocopy of civil penalty check
Proposed letter

pr#4

85 SEP 10 4:31 PM

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

86040614827

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Carroll County Democratic)
Central Committee)

MUR 1867

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission meeting on July 16, 1985, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1867:

1. Enter into conciliation with the Carroll County Democratic Central Committee prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement attached to the General Counsel's Report dated July 8, 1985,
3. Approve the letter attached to the General Counsel's Report dated July 8, 1985.

Commissioners Aikens, Harris, McDonald, McGarry, and Reiche voted affirmatively for this decision. Commissioner Elliott dissented.

Attest:

7-17-85
Date

Mary W. Dove
Mary W. Dove
Recording Secretary

88 56 07 44 00 54 61 14 28 52 58

SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

25 JUL 10 49:43

In the Matter of

Carroll County Democratic
Central Committee

MUR 1867

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 14, 1985, the Commission found reason to believe the Carroll County Democratic Central Committee ("CCDCC") violated 2 U.S.C. § 441d(a) by financing a communication which was published in a newspaper and which advocated the election of Democratic candidates but failed to state whether it was authorized by the candidates. The appropriate letter of notification was mailed to the CCDCC on May 22, 1985. By letter dated June 7, 1985, the CCDCC, through its counsel, requested pre-probable cause conciliation in an effort to settle this matter (Attachment I).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

III. RECOMMENDATION

1. Enter into conciliation with the Carroll County Democratic Central Committee prior to a finding of probable cause to believe.

86040514829

2. Approve the attached proposed conciliation agreement.
3. Approve the attached letter.

Charles N. Steele
General Counsel

July 8, 1965
Date

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Letter from Charles A. Johnston, Esq.
- II. Letter to Charles A. Johnston, Esq.
- III. Proposed Conciliation Agreement

8 3 0 4 0 5 6 1 4 2 3 7 0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1985

Charles A. Johnston, Esquire
P.O. Box 175
63 Second Street, S.W.
Carrollton, Ohio 44615

RE: MUR 1867
Carroll County Democratic Central
Committee

Dear Mr. Johnston:

The Federal Election Commission notified your client, the Carroll County Democratic Central Committee, by letter dated January 2, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time. We acknowledge receipt of your client's explanation of this matter which was dated January 11, 1985.

Upon further review of the allegations contained in the complaint and information supplied by your client, the Commission, on May 14, 1985, determined that there is reason to believe that the Carroll County Democratic Central Committee violated 2 U.S.C. § 441d(a), a provision of the Act.

You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

88 58 04 05 61 14 28 63 21

Charles A. Johnston, Esquire
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that your client wishes the matter to be made public. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosure
Procedures

88 56 00 44 00 56 61 14 28 63 32

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Ohio Democratic Party)

Carroll County Democratic Central)

Committee)

Ohio Democratic Party Federal)

Campaign Account)

John Weithe, Treasurer)

MUR 1867

CERTIFICATION

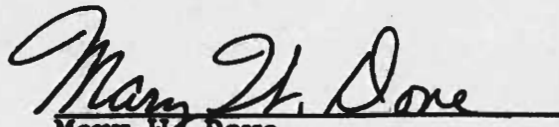
I, Mary W. Dove, recording secretary for the Federal Election Commission executive session of May 14, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1867:

1. Find no reason to believe the Ohio Democratic Party Federal Campaign Account, John Weithe, as treasurer, violated 2 U.S.C. § 441a(d).
2. Find reason to believe the Ohio Democratic Party Federal Campaign Account, John Weithe, as treasurer, violated 2 U.S.C. § 441d(a).
3. Find no reason to believe the Carroll County Democratic Central Committee violated 2 U.S.C. § 441a(d).
4. Find reason to believe the Carroll County Democratic Central Committee violated 2 U.S.C. § 441d(a).
5. Send the letters attached to the General Counsel's Report dated May 2, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

5-15-85
Date


Mary W. Dove
Recording Secretary

88 56 00 44 00 56 61 14 28 63 43

SENSITIVE

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 05 MAY 2 04:33

DATE AND TIME OF TRANSMITTAL BY
OGC TO THE COMMISSION _____

MUR NO. 1867
DATE RECEIVED
December 19, 1984
DATE OF NOTIFICATION TO
RESPONDENT January 2, 1985
STAFF MEMBER
Duane A. Brown

COMPLAINANT'S NAME: Robert D. Jones, Secretary
Carroll County Republican Central and
Executive Committee

RESPONDENTS' NAMES: Ohio Democratic Party
Carroll County Democratic Central
Committee
Ohio Democratic Party Federal
Campaign Account
John Weithe, Treasurer

RELEVANT STATUTES: 2 U.S.C. §§ 433, 434, 441d(a)(3) and
441a(d)(3)(B)
11 C.F.R. § 110.7

INTERNAL REPORTS
CHECKED:

Ohio Democratic Party Federal
Campaign Account

FEDERAL AGENCIES
CHECKED:

None

SUMMARY OF ALLEGATIONS

Robert Jones filed this complaint questioning whether the Ohio Democratic Party ("ODP"), the Carroll County Democratic Central Committee ("CCDCC") and the Ohio Democratic Party Federal Campaign Account ("Federal Account") may make expenditures on behalf of Federal candidates using newspapers and other types of general public advertising (Attachment I).

88 56 07 44 00 54 61 14 28 63 54

It appears that the two attached communications were paid for individually by the ODP and the CCDCC. The ads expressly advocate the election, inter alia, of Walter Mondale and Geraldine Ferraro. The ODP and the CCDCC are not political committees registered with the Commission. The Federal Account, however, is registered with the Commission.

The appropriate letters of notification were mailed to the respondents on January 2, 1985. Pursuant to a telephone conversation on January 15, 1985 and by letter of the same date, the Ohio Democratic Party, through its Assistant Treasurer, requested an extension of time to respond to the Commission's notification (Attachment II). Responses were subsequently received from counsel representing the Ohio Democratic Party, its federal campaign account and John Weithe, its treasurer (Attachment III) and from Dewey Breckenridge on behalf of the Carroll County Democratic Central Committee (Attachment IV).

FACTUAL AND LEGAL ANALYSIS

I. Ohio Democratic Party Federal Campaign Account

The complainant argues that the respondents should not be permitted to make expenditures on behalf of federal candidates using newspapers and other types of general public advertising. In response to the complaint, counsel for the ODP and the Federal Account argues that his clients were authorized by the Democratic National Committee ("DNC") to undertake certain coordinated expenditures on behalf of the Mondale/Ferraro campaign. Counsel

88 56 07 40 56 61 14 28 63 65

attached letters confirming this fact from the Deputy Chairman of the DNC (Attachment V). In addition, counsel cites 11 C.F.R. § 110.7(a) and (b) as the controlling regulatory provisions in this matter. 11 C.F.R. § 110.7 is the regulatory section related to 2 U.S.C. § 441a(d).

2 U.S.C. § 441a(d)(1) states, in pertinent part, that the "national committee of a political party may make expenditures in connection with the general election campaign of candidates for Federal office, subject to limitations contained in paragraphs (2) and (3) of this subsection." 2 U.S.C. § 441a(d)(2) further states that "the national committee may not make any expenditure in connection with the general election campaign of any candidate for President who is "affiliated with such party which exceeds an amount equal to 2 cents multiplied by the voting age population of the United States." A check of the statistics in our Reports Analysis Division shows that the national committee did not exceed its expenditure limitations. Furthermore, pursuant to 11 C.F.R. § 110.7(a)(4), "the national committee of a political party may make expenditures through any designated agent, including State and subordinate party committees." The respondents produced two letters from the Deputy Chairman of the DNC which indicated that the respondents were authorized to spend a maximum of \$20,000 in coordinated expenditures pertaining to Mondale/Ferraro in the general election. A review of the Year End Report shows that the ODP spent \$5,066.12 in coordinated expenditures in the general election. Moreover, although the

88 56 00 44 00 54 61 14 28 63 76

respondents do make expenditures in both State and Federal elections, counsel avers that the expenditures for the advertisement were made with funds drawn on the Federal campaign account.

Accordingly, it appears that the expenditures by the respondents pertaining to the Mondale/Ferraro campaign in the general election were permissible expenditures and did not exceed the authorized limit.

Regarding the two Congressional candidates appearing on the sample ballot, 2 U.S.C. § 441a(d)(3)(B) states that:

The national committee of a political party or a State committee of a political party...may not make any expenditure in connection with the general election campaign of a candidate for Federal office in a State who is affiliated with such party which exceeds --

in the case of a candidate for election to the office of Representative...\$10,000. (See also 11 C.F.R. § 110.7(b)(1) and (2)(ii).

Similar to the expenditure limitations for a national committee, State and local party committees have their own expenditure limitation regarding the general election campaign of a House candidate under this section. The communication which is the subject of this complaint consisted of a two page advertisement. The sample ballot, which was a one-quarter page ad, consists of the names of seventeen individuals including Mondale/Ferraro and two candidates for the office of Representative. Another one-quarter of that same page listed pictures and names of local candidates. The remaining one-half page consisted of an

885600440056114286387

advertisement on behalf of Mondale/Ferraro. The opposite page shows one-half of it devoted to the names and pictures of eight local candidates and the aforementioned two Representative candidates. Each picture on this page is of equal size and dimension. The remaining one-half of this page simply reveals the word "vote" and is surrounded by stars emblematic of the American flag. If the costs of producing the sample ballot were allocated equally among each of the seventeen candidates, and if the cost of the one-half page ad for Mondale/Ferraro was computed, it would not appear that the respondents exceeded their expenditure limitation of \$20,000. Moreover, if the costs of producing the one-half page ad consisting of the two Representative candidates and eight local candidates were allocated equally among each, it would not appear that the respondents have exceeded their State expenditure limitation.

Accordingly, it appears that the expenditures by the respondents related to the Representatives from Ohio were permissible expenditures and did not exceed the respondents' expenditure limitation.

2 U.S.C. § 441d Violations

Pursuant to 2 U.S.C. § 431(9)(B)(iv), the term "expenditure" does not include:

the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any public office for which an election is held in the State in

88 56 07 44 00 54 61 14 28 63 98

which such committee is organized...except that this clause shall not appear to costs incurred by such committee with respect to a display of any such listing made...in newspapers....

The slate card was printed in a local Ohio newspaper and, therefore, does not qualify for the exemption. 2 U.S.C.

§ 441d(a)(3) requires:

any person making an expenditure for the purpose of financing communications expressly advocating the election...of a clearly identified candidate...through any newspaper...if not authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state the name of the person who paid for the communications and state that the communication is not authorized by any candidate or candidate's committee.

Although the slate card produced by the respondents does clearly state who paid for it, it fails to state whether the communication was authorized by any candidate or candidate's committee. Inasmuch as the payment for the slate card was used for a display in a newspaper, the costs for such slate card are not exempted from the definition of expenditure. Consequently, the respondents were required to list the appropriate disclaimer on the slate card. Their failure to do so is in violation of 2 U.S.C. § 441d(a)(3).

II. Carroll County Democratic Central Committee

The CCDCC is a subordinate committee of the Ohio State Democratic Party. In response to the complaint, the CCDCC argues that the communication attached with its response and labelled "Exhibit B" was a handout which was printed and paid for by the

88 56 00 44 00 54 61 14 28 73 09

committee and "distributed to passersby at a local county fair and other political gatherings." In a subsequent conversation, however, General Counsel staff determined that, in fact, Exhibit B also was run as a political advertisement in a local newspaper. The respondent indicates that it overlooked the one time expenditure in its reply letter to the Commission. The ad was run on October 31, 1984, at a cost of \$88.20.

2 U.S.C. § 441a(d)(3)(B) states that:

The national committee of a political party, or a State committee of a political party, including any subordinate committee of a State committee, may not make any expenditure in connection with the general election campaign of a candidate for Federal office in a State who is affiliated with such party which exceeds --

in the case of a candidate for election to the office of Representative, Delegate, or Resident Commissioner of any other State, \$10,000. (emphasis added).

The ad consisted of the names of seventeen individuals including Mondale/Ferraro and two candidates for the office of Representative. If the costs of producing the sample ballot were allocated equally among each of the candidates, it would not appear that the respondents exceeded its expenditure limitation. A review by RAD personnel disclosed that expenditures by the Ohio Democratic Party Committee, including its subordinate committees, did not exceed its expenditure limitations for the election cycle.

Accordingly, it appears that the expenditures by the respondents related to the Representatives from Ohio were

88 50 40 5, 61 1428 74 10

permissible expenditures and did not exceed the Respondent's expenditure limitation.^{1/}

2 U.S.C. § 441d Violations

2 U.S.C. § 431(9)(B)(iv) states that the term "expenditure" does not include:

the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any public office for which an election is held in the State in which such committee is organized...except that this clause shall not apply to costs incurred by such committee with respect to a display of any such listing made...in newspapers....

The slate cards which were printed and handed out to passersby are exempted from the definition of expenditure. Accordingly, there was no requirement that the respondents list a § 441d disclaimer on these materials since no "expenditure" was made for the handout. On the other hand, the communication which expressly advocated the election of Democratic candidates which was published in the newspaper at a cost of \$88.20 failed to state whether it was authorized by the candidates in violation of 2 U.S.C. § 441d(a)(3). Although the communication appears to be a slate card, it is not exempted from the definition of expenditure because the slate card was published in a newspaper.

^{1/} The expenditures on behalf of Mondale/Ferraro are covered by the 2 U.S.C. § 441a(d) authorization discussed, supra. See pp. 3-4.

88 5 0 4 0 5 6 1 4 2 7 4 2

2 U.S.C. § 431(4)(C) defines a "political committee" as:

any local committee of a political party which receives contributions aggregating in excess of \$5,000 during a calendar year, or makes payments exempted from the definition of contribution or expenditure as defined in paragraphs (8) and (9) of this section aggregating in excess of \$5,000 during a calendar year, or makes contributions aggregating in excess of \$1,000 during a calendar year or makes expenditures aggregating in excess of \$1,000 during a calendar year.

A political committee must register and report pursuant to

2 U.S.C. §§ 433 and 434.

88 50 40 55 61 14 28 74 32
In a telephone conversation with counsel for the CCDCC on April 10, 1985, counsel indicated that no more than \$1,000 was expended for costs associated with mailings and the printed slate card. A follow-up letter to this effect was received at the Commission on April 18, 1985 (Attachment VI). Specifically, counsel stated that total expenditures for the CCDCC for calendar year 1984 disclosed, 1) \$687.50 was spent on postage; 2) \$162.15 was spent on envelopes; 3) \$88.20 was spent on the slate card's printing in a local newspaper; and 4) \$249.90 was spent for the printing of the slate card handouts.^{2/} Inasmuch as it appears that the respondent did not make payments exempted from the definition of contribution and expenditure aggregating in excess

^{2/} Respondents' payments for these activities must be from permissible sources. Although Ohio allows labor contributions in State elections, there is no indication that CCDCC did not have sufficient non-labor funds to cover these expenses. See 11 C.F.R. § 102.5(b).

of \$5,000 during a calendar year and inasmuch as the respondent does not appear to have made expenditures aggregating in excess of \$1,000 during the calendar year, it appears that the respondent was not required to report and register as a political committee.

RECOMMENDATIONS

1. Find no reason to believe the Ohio Democratic Party Federal Campaign Account, John Weithe, as treasurer, violated 2 U.S.C. § 441a(d);
2. Find reason to believe the Ohio Democratic Party Federal Campaign Account, John Weithe, as treasurer, violated 2 U.S.C. § 441d(a);
3. Find no reason to believe the Carroll County Democratic Central Committee violated 2 U.S.C. § 441a(d);
4. Find reason to believe the Carroll County Democratic Central Committee violated 2 U.S.C. § 441d(a);
5. Send attached letters.

Charles N. Steele
General Counsel

Date

May 2, 1985

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

- I. Complaint
- II. Letter from D. Jane Harrison
- III. Letter from Robert McAlister, Esquire
- IV. Letter from Dewey Breckenridge
- V. Letters from the DNC
- VI. Letter from Charles Johnston, Esquire
- VII. Letter to Robert McAlister, Esquire
- VIII. Letter to Charles Johnston, Esquire

88 56 00 44 00 56 61 14 28 74 43

ARVIN J. ALEXANDER
(1909-1994)
LLOYD E. FISHER, JR.
ROBERT S. MC ALISTER
WAYMAN C. LAWRENCE
PATRICK J. SMITH
ALVIN J. MC KENNA
JOHN E. BRADY
J. STEPHEN VAN HEYDE
C. ANDREW WRESTON, JR.
BRIAN L. BUZZY
D. MICHAEL MILLER
ADELE E. O'CONNOR
THOMAS L. LONG
PEGGY L. BRYANT
DAVID S. MAY
JOHN C. BEELER
DANIEL A. BROWN

ALEXANDER, EBINGER, FISHER, MCALISTER & LAWRENCE
ATTORNEYS AND COUNSELORS AT LAW
TWENTY-FIFTH FLOOR
1 RIVERSIDE PLAZA
COLUMBUS, OHIO 43215-2388
TELEPHONE 614/221-6346
TELECOPIER 614/461-1947

January 24, 1985

MUR 1867
Brown

RECEIVED AT THE FEC
HAND DELIVERED
JAN 25 1985
10:04

W. GREGORY
ROBERT F. EBINGER
JESSE C. ROBINSON, JR.
GREGORY W. STUART
DAVID A. LAINE
DANIEL J. MINOR
JOYCE D. EDELMAN
JOSEPH P. ELLIOTT
DIANE C. REICHWEIN
DAVID A. TUMEN
DONALD C. SLOWIK
BEVERLY A. REID
WANDA L. CARTER
MARK S. STEMM

COUNSEL TO THE FIRM:
ROBERT F. EBINGER

OF COUNSEL:
HOWARD F. PINK

George N. Steele, Esquire
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1867

Dear Mr. Steele:

Under the enclosed Statement of Designation of Counsel, we represent the Respondents, Ohio Democratic Party and John Weithe, individually and as its Treasurer. No action should be taken against these Respondents with respect to the subject slate card newspaper advertisement of November 1, 1984, for the following reasons.

Factually and legally, the Ohio Democratic Party is a controlling State central and executive committee, and the Carroll County Democratic Party is a subordinate County central and executive committee, as both are established under Ohio Revised Code, Section 3517.03. Mr. Weithe is the Treasurer of the State committee and, as such, Treasurer of its federal campaign account. Review of the involved general election advertisement discloses that, in part, it supported the Democratic candidates for President, Vice President, and Congressional representative from Ohio's 16th District, as well as the candidacies of numerous other Democrats seeking State and local office.

Attached is the sworn affidavit of James M. Carey, Political Director of the Ohio Democratic Party, who acted as its principal agent in this matter. Though the affidavit is self-explanatory, you should especially note that this is a case of a State committee undertaking authorized co-ordinated expenditures and expenditures for an Ohio Congressional candidate, both under Code Of Federal Regulations (CFR) Title 11, Section 110.7(a) and (b), respectively. Affidavit Exhibits A and B, being executed letters of agreement dated October 25,

86040314844

35 JAN 25 1985
P 2:20

RECEIVED
GENERAL COUNSEL

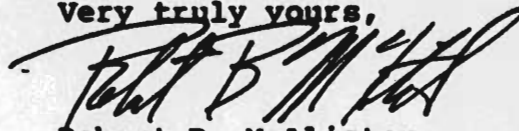
George N. Steele, Esquire
January 24, 1985
Page 2

and October 30, 1984, by and between the Democratic National Committee and the Ohio Democratic Party, constitute the appointment of the latter to act as agent for making such co-ordinated expenditures. Please note further that the State committee did, in fact, pay for the November 1, 1984, advertisement at issue with funds from the Ohio Democratic Party federal campaign account. Mr. Weithe, the State committee Treasurer, did not personally play any role in arranging the advertisement under investigation.

We trust that the above provides you with a sufficient record to determine that no action should be taken against Respondents in MUR 1867. However, if you require any further factual or legal submissions, please advise us. We do reserve the right to provide you with further materials, under your rules, to advance the disposition of this complaint.

Thank you for your consideration of the foregoing.

Very truly yours,



Robert B. McAlister

RBM/dls

Enc.

cc: Duane Brown, Esquire

86040314845



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 2, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Weithe, Treasurer
Ohio Democratic Party Federal
Campaign Account
Suite 1920
88 E. Broad Street
Columbus, Ohio 43215

Re: MUR 1867

Dear Mr. Weithe:

This letter is to notify you that on December 19, 1984, the Federal Election Commission received a complaint which alleges that your committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1867. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your committee and you, individually as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you and your committee intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

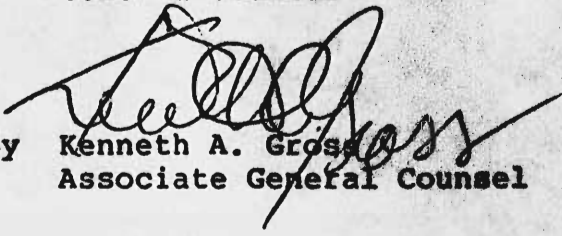
86040314846

- 2 -

If you have any questions, please contact Duane Brown the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

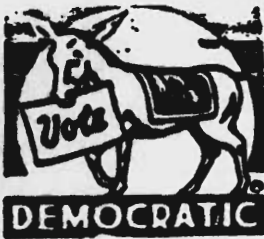
Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

86040514847



**Vote
For A Better Future**



Vote Democratic November 6th, 1984

**PRESIDENT AND VICE PRESIDENT
WALTER F. MONDALE**

GERALDINE FERRARO

STATE CANDIDATES

JAMES GWIN

For Representative to Congress
(16th District)

DOUGLAS APPLGATE

For Representative to Congress
(18th District)

ROBERT L. BURCH

For State Senator
(30th District)

WILLIAM E. HINIG

For State Representative
(97th District)
(Vote for not more than ONE)

WILLIAM E. MOORE

State Board of Education
18th District

COUNTY CANDIDATES

VAN SMITH

For County Commissioner
(Full Term Commencing 1-2-85)

ROBERT KELLOGG

For County Commissioner
(Full Term Commencing 1-3-85)

JOHN S. CAMPBELL

For Prosecuting Attorney

JAMES E. STULL

For Clerk of Court of Common Pleas

DOROTHY LEATHERBERRY

For County Recorder

DENTON T. TURNIPSEED

For County Treasurer

JUDICIAL

JOHN E. CORRIGAN

For Justice of the Supreme Court
(Full term commencing 1-1-85)

JOSEPH E. O'NEILL

For Judge of the Court of Appeals
(7th District)
(Full Term Commencing 2-9-85)

JAMES P. CELEBREZZE

For Justice of the Supreme Court
(Full Term Commencing 1-2-85)

WILLIAM T. ALLMON

For Judge of the Court of Common Pleas,
Juvenile and Probate Division
(Full Term Commencing 2-9-85)

**THANK YOU FOR VOTING DEMOCRATIC
YOU MAY TAKE THIS TO THE POLLS**

PAID FOR BY THE CARROLL COUNTY DEMOCRATIC CENTRAL COMMITTEE

DEWEY E. BRECKENRIDGE, CHAIRMAN

88 56 07 44 00 56 61 14 28 74 59

38 36 00 44 00 56 14 28 75 60



JAMES S. GWINN
Representative to Congress
(16th District)

The 16th Congressional District has had unemployment over ten percent for the last four years and has recently seen the national rate rising again. Regula's policies have caused this unemployment while they give huge tax breaks to the rich and corporations.



DOUGLAS APPLGATE
Representative to Congress
(18th District)

Thanks for your support
in the past. I appreciate
your support on Nov. 6th.



WILLIAM T. ALLMON
Judge of the Court of
Common Pleas, Juvenile and
Probate Division

(Full Term Commencing 2-9-85)

Vote for a proven public servant who has given Carroll County twenty-six years of fair, impartial and consistent judicial service and who has served in the judicial, administrative and legislative branches of county and state government.



VAN SMITH
County Commissioner

(Full Term Commencing 1-2-85)

- U.S. Army Veteran
- Four Terms Leo Twp. Trustee
- Four Terms Director Carroll Electric Co-op
- Two Terms Carroll County Health Board
- Life Time Dairy Farmer



JOHN E. CORRIGAN
Justice, Ohio Supreme Court

EDUCATION

- Graduate St. Ignace High School
- Xavier University
- Cleveland Marshall College of Law

EXPERIENCE

- Judge, Cuyahoga County Court of Common Pleas
- Over 15 years of public service
- Former Assistant Ohio Attorney General
- Trustee Ohio Judicial College
- Practicing Attorney
- Veteran
- Member Ohio National Guard



JAMES P. CELEBREZZE
Justice, Ohio Supreme Court

EDUCATION

- Graduate St. Edwards High School
- Ohio State University
- Cleveland Marshall College of Law

EXPERIENCE

- Justice, Ohio Supreme Court
- Over 21 years of Public Service
- Military Judge
- Former Judge, 8th District Court of Appeals
- Cuyahoga County Court of Common Pleas
- State Representative
- City Law Director & Practicing Attorney
- Veteran



JAMES E. STULL
Clerk of Court
of Common Pleas

- 25 years accounting and management experience



DOROTHY LEATHERBERRY
County Recorder

My experience as County Recorder and public service in Banking and Credit Loan Business qualifies me to better serve you for another term as County Recorder.

DEMOCRAT



WALTER MONDALE
PRESIDENT

One needs a President
with a clear vision for the
future
Mondale stands for a nuclear
freeze
Reagan supports continued
arms build-up
Mondale fights to protect
Social Security
Reagan has proposed cuts
Mondale tackles the deficit
head-on
Reagan thinks it will just go away
Mondale fights to protect
OHIO JOBS
Reagan lets imports flood the
market
**MONDALE-FERRARO...FOR
JOBS...FOR OHIO...FOR
AMERICA!**



GERALDINE FERRARO
VICE PRESIDENT

88 36 00 44 00 56 61 14 28 75 82

86040514853



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1869

Date Filmed 10/29/86 Camera No. --- 2

Cameraman AS