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COUNSEL

November 8, 2010

VIA EMAIL AND FEDERAL EXPRESS

Jeff S. Jordan
Supervisor Attorney
Complaints Examination and Legal Administration
Federal Election Commission
Office of the General Counsel
Complaints Examination and Legal Administration
999 E. Street, NW
Washington, D.C. 20463

Re: MUR # 6376

Dear Mr. Jordan:

The Polk County Supervisor of Elections Office has received correspondence from the Federal Election Commission concerning MUR # 6376. I represent the Polk County Supervisor of Elections Office.

The issue presented by the Complaint letter filed by the Campaign of Dennis Ross for Congress, asserts that the Lori Edwards Campaign or Campaign Committee accepted a contribution from Polk County, Florida in violation of 11 C.F.R. 114.2 and/or did the Lori Edwards Campaign fail to report an in kind contribution from the Polk County Supervisor of Elections Office.

The issue asserted by the Dennis Ross Campaign focuses on public service announcements that were run on television or radio media in Polk County prior to the August 24, 2010 Florida Primary Election. The Polk County Supervisor of Elections Office has presented similar or identical public service

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announcements on a regular basis for many years, expending the same amount of funds (approximately \$11,000.00) in those previous years to provide voters in Polk County, information concerning the dates and times of the elections, in this case, the August 24, 2010 Primary.

The Supervisor of Elections in Polk County is an independently elected constitutional officer under the Constitution of the State of Florida. The Supervisor's responsibility under the Florida Election Code and rules adopted by the Florida Department of State, Division of Elections, is to participate in available radio, television, or print programs and interviews to provide voter information. These radio and television advertisements, paid for by the Polk County Supervisor of Elections Office, provided nonpartisan, unbiased voting information. (Attached are samples of the 2010 ads). The advertisements are similar to advertisements run in adjoining counties and throughout the State of Florida by Supervisors of Elections concerning election dates, timeframes and other public information necessary such as precinct locations and personal identification requirements.

The assertions of the Dennis Ross Campaign are totally unfounded based upon the history of public service announcements by the Polk County Supervisor of Elections Office. The Polk County Supervisor of Elections Office did not intend, nor does it believe that the communications to voters are electioneering communications, under the United States Code or Code of Federal Regulations. Information was provided to voters concerning election times and procedures, not with the purpose of influencing the election or concerning campaign matters.

In addition, the Office of Supervisor of Elections did not engage in any conduct which would meet the conduct standards prohibited by the United States Code or the Code of Federal Regulations. As previously stated, these same or similar public service advertisements had been produced by the office for many years and provided to citizens of Polk County. Attached hereto is the Affidavit of Judy Walker, the Director of Community Services in the Polk County Supervisor of Elections Office, demonstrating that there was no contact or consultation with the campaign staff or committee in the preparation of these public service announcements.

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Based on the foregoing, the Polk County Supervisor of Elections Office did not take any actions which were or are improper under the Federal Election laws or regulations and respectfully requests this matter be dismissed. Please contact me if there is any further information necessary.

Sincerely,



Ronald L. Labasky

Attachments

cc: Ms. Frankie D. Hampton (via email)

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Spot #1 Start August 11th pull August 18th

I'm Lori Edwards, Supervisor of Elections. There's a statewide Primary Election August 24th and there's 3 easy ways to vote.

All polling locations will be open from 7am to 7pm on election day

Early voting is open at 7 locations around Polk County, Monday through Saturday, 9 to 5.

Or, you can vote by mail. Just call and sign up for absentee voting.

It's free, it's easy and it's important!

To find out more, give us a call at 534-5888 or visit Polkelections.com

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Spot # 2 Start August 18th pull August 21st

There's a statewide Primary Election coming up on August 24th, and all polls will be open from 7am to 7pm.

This is Lori Edwards, Supervisor of Elections reminding that if you'd like to vote in advance, Early voting is open Monday – Saturday 9 to 5 at:

The branch courthouses in Winter Haven and Lakeland

The Lake Wales Library or the Larry Jackson Library in Lakeland

City Halls in Bartow and Mulberry or Ridgeview Plaza in Davenport.

To find out more, visit Polkelections.com

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Spot # 3 run August 21st thru August 24th

This is Lori Edwards Supervisor of Elections, and we're busy gearing up for the statewide primary election on Tuesday.

We'll be getting up bright and early so all precincts will be open at 7am in case you want to vote first thing.

And, we'll stay open until 7pm, so there's plenty of time to stop by after work.

Be sure to bring photo ID when you go to vote.

That's election day, this Tuesday. It's free, it's easy and it's important!

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#1 early voting Start August 11, pull August 21st

**I'm Lori Edwards, Supervisor of Elections.
Florida's Statewide Primary Election is
coming up the Tuesday August 24th.**

**And, There are important races to be
decided.**

**All precincts will be open from 7am to 7pm
on election**

**If you think you might be too busy on
election day, you can cast your ballot at one
of our 7 convenient early voting centers.**

**Just stop by from 9 until 5 Monday through
Saturday and cast your vote in advance.**

If you don't vote.....they can't hear you!

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#2 General Info Start August 21st pull August 24th

Election Day is coming up! All precincts will be open from 7am to 7pm on Tuesday, August 24th.

There are important local races on the ballot, so I know you'll want to make your voice heard!

I'm Lori Edwards, Supervisor of Elections with some important reminders.

Double check your precinct location in advance. It's on your voter information card.

And, don't forget to bring photo ID with you to the polls.

Sample ballots are available on our website: Polkelections.com

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