

November 2, 2020

VIA EMAIL

[cela@fec.gov](mailto:cela@fec.gov)

Federal Election Commission

Washington, DC, 20463

RE: MUR 7831

In response to RE: MUR 7831 the following statement and enclosures are presented.

I did in fact submit the ad referenced in the complaint. In my mind I considered this a classified ad not realizing a disclaimer was required. There was no ill motives or foolery intended, or effort to hide my identity. This was a onetime ad and if I were to place any political ads in the future the disclaimer will be included as required by federal law.

At the request of Mecklenburg County Democratic Committee, I am appointed to the Electoral Board, and serve with the utmost respect in a nonpartisan manner when carrying out the duties of an Electoral Board member.

As stated in the "Virginia Department of Elections the Handbook" Chapter 2 Local Electoral Boards II <sup>i</sup>

Electoral Board members are not prohibited from exercising their freedom of speech when not performing the Electoral Board duties.<sup>ii</sup> Opinions of the Attorney General ruled electoral board members and general registrars should perform their official duties in a nonpartisan fashion and when not performing those duties, such officers may participate in partisan political activities that do not conflict with the prohibitions set forth in this section and 24.2-106.1 and 24.2-110. See opinion of Attorney General to Mr. William B. Harvey, Secretary, Albemarle County Electoral Board, 03-068 (10/17/03).<sup>iii</sup>

Mr. Rick Buchanan, who filed the complaint against me serves as the Vice Chair of 5<sup>th</sup> District Republican Congressional Committee, which it appears he did not make a full disclosure of his position in the Republican Party.

Very respectfully,

VIA Email

Jeanne M. Capello

PO Box 384

Boydton, VA 23917

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<sup>i</sup> [https://www.elections.virginia.gov/media/grebhandbook/2020-individual-chapters/2\\_Local\\_Electoral\\_Boards\\_\(2020\).pdf](https://www.elections.virginia.gov/media/grebhandbook/2020-individual-chapters/2_Local_Electoral_Boards_(2020).pdf)

**<sup>ii</sup> II. Electoral Board Activity Prohibitions:**

- A. May not collect any fee as a notary during the time of such appointment.**
- B. May not engage in political activities when performing official duties.**
- C. May not solicit signatures for candidate petitions in a public building**

<sup>iii</sup> <https://www.oag.state.va.us/files/Opinions/2003/03-068w.pdf>