

**FAIR ELECTION PRACTICES CAMPAIGN HEARING PANEL COMPLAINT FORM 2019**

**FROM:**

Name LORIE LACHUSA BARNUM  
Address 195 PARKVIEW TERRACE Rochester, NY 14617  
Phone Work \_\_\_\_\_ Cell \_\_\_\_\_  
Email address lorie.barnum@gmail.com  
Candidate for Monroe County Legislator - 16th District

**REGARDING:**

Name Joe Carbone  
Address 123 Eastman Estates  
Phone Work 544-3620 Cell \_\_\_\_\_  
Email address \_\_\_\_\_  
Candidate for Monroe County Legislator - 16th District

**COMPLAINT FILING PROCEDURES DURING GENERAL ELECTIONS:**

1. The FEPC Hearing Panel will accept complaints beginning on August 1, 2019 for the General Election. The Committee will review complaints by candidates as they come in. Complaints must be received within ten (10) days of an initial publication, distribution or occurrence of alleged unfair materials or ads. Complaints occurring in the final six days before the General Election must be filed by noon on Monday, November 4<sup>th</sup>, the day before Election Day. **No hearings will be held on or after Election Day.**
2. **Only General Election candidates who sign and submit The Pledge by Tuesday, September 10, 2019 may file complaints** during the General Election season. Complaints filed by a candidate’s representative with the candidate’s approval will be recognized. Candidates may file only one complaint per advertisement, handout, statement, mailing, news report or incident.
3. In order to register a complaint with the FEPC Hearing Panel, you must send the complaint form and all supporting materials to the Committee Chair, Jim Morris. **Be concise.** The Panel **strongly prefers** all documents be delivered to the Panel as a Portable Digital File (PDF) or as a JPEG image file sent to [jmorris@morrisatty.com](mailto:jmorris@morrisatty.com). Documents may also be delivered to the Panel by hand or mail in care of Chair Jim Morris, 120 Corporate Woods, Suite 240, Rochester, NY 14623 or by fax (585) 292-5793 (with a cover sheet addressed to the Chair). If you have questions, call Jim Morris at (585) 292-5750 ext. 2. A hearing will not be scheduled unless and until the complaint form has been completed and all relevant materials are in the Hearing Panel’s possession.
4. On the same day that the complaint is filed with the Hearing Panel, **a hard copy of all the relevant materials MUST be sent by the serving candidate by certified mail or hand delivered to the candidate complained against** at the opposing candidate’s address on file with the Monroe County Board of Elections. It is **strongly** recommended that the serving candidate deliver a duplicate copy of the complaint package to a staff member at the affiliated political party headquarters (e.g., Democrat, Republican, Conservative, Independence, Working Families, Green, Women’s Equality, Reform) of the candidate complained against. While direct service to the candidate complained against is adequate, dual service will help ensure full compliance without controversy.
5. All decisions will be released by the Hearing Panel Chair to the candidates and the news media as soon as possible after the votes are taken. The Hearing Panel will not delay public release of its decision even if unable to make direct contact with the candidates. The decision will state whether allegations are valid or invalid. There is no “appeal” process. All decisions by the Hearing Panel are final.
6. **Neither the League of Women Voters nor The Interfaith Alliance of Rochester will be involved in the Fair Election Practices Campaign Hearing Panel’s complaint review process.**

**DESCRIPTION OF COMPLAINT:**

Newspaper ad or brochure: \_\_\_\_\_ Date: \_\_\_\_\_

Radio or T.V. Station: \_\_\_\_\_ Date/Time aired: \_\_\_\_\_

Other: Candidate Website (Attached) Date: 8/20/19

*If possible, please include a copy of any related material (print, video tape, audio tape, news clipping, etc.). The Committee highly values full documentation; however, be concise. Please limit documentation to **no more than 20 pages**.*

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

*Attached*

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

Signed: *Brittany Webb*  
(Complainant)

Date: 8/20/19

FEPC

Joe Carbone

Ethical Violation #1

Joe Carbone violated clause #1 of the Fair Campaign Pledge which states: "I will conduct my campaign accurately and honestly." The website in question is neither accurate, nor honest for the following reason:

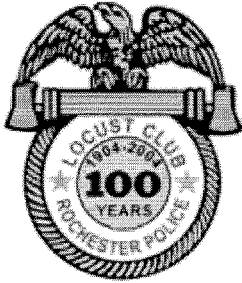
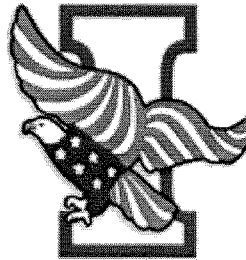
1) The main page of the candidate's website ([www.drjoecarbone.com](http://www.drjoecarbone.com)) represents his endorsements, which include eight logos, including one for CSEA Local 828 and one for AFSCME. The most recent screen grab showing Joe Carbone's misrepresentation of his endorsements was taken on August 16th 2019 at 9:46am.

**The statement is false.** No endorsements have been made by CSEA Local 828 and AFSCME Council 66 for the 2019 General Election to be held on November 5th 2019.

Attached are two emails, one from Bess Watts, the President of CSEA Local 828 and another from Aaron Gallant, a representative for AFSCME Council 66 that attest to the fact that these organizations have not finalized any endorsements for the 2019 General Election.

Mr. Carbone's statement that he is the endorsed candidate by CSEA Local 828 and AFSCME Council 66 is **false and misleading**.

## Endorsements



"POLICE PROTECT PEOPLE... WE PROTECT THE POLICE"



**From:** Bess Watts [besswhat@gmail.com](mailto:besswhat@gmail.com)  
**Subject:** Re: CSEA endorsement in County Leg district 16  
**Date:** August 16, 2019 at 3:12 PM  
**To:** Michael Read [michael@monroedemocrats.com](mailto:michael@monroedemocrats.com)

That is correct, we have not made any endorsements for LD 16 as of August 16th. But we will in the very near future.

Sincerely,

Bess Watts  
CSEA Local 828 Monroe County President

On Fri, Aug 16, 2019, 12:07 PM Michael Read <[michael@monroedemocrats.com](mailto:michael@monroedemocrats.com)> wrote:  
Dear CSEA:

I am writing to you on behalf of Lorie Barnum, candidate for Monroe County Legislator, representing the 16<sup>th</sup> District. It is my understanding that CSEA has not yet made an endorsement in the 2019 General Election cycle, as Lorie are currently seeking your endorsement. I send this note to confirm that you have not made any endorsement in the 16<sup>th</sup> LD race as of today, August 16, 2019. Please let me know if you have any questions and thank you again for your time in advance.

Sincerely,  
Michael Read

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MCDC Political Director  
1150 University Ave | Building 5 | ROC | 14607

(518) 772-7148 (c)  
(585) 232-2410 (o)  
[@read\\_em](mailto:@read_em)

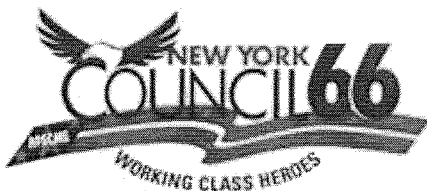
**From:** Aaron Gallant AGallant@afscmecouncil66.org  
**Subject:** RE: AFSCME endorsement in CL #16?  
**Date:** August 16, 2019 at 12:19 PM  
**To:** Michael Read michael@monroedemocrats.com



Hi Mike – I can confirm that AFSCME Council 66 has not made an endorsement in this race

Have a good weekend,  
Aaron

Aaron Gallant  
Communications Director/Political Action Coordinator  
AFSCME Council 66  
4201 Buffalo Road, N. Chili, NY 14514  
585-594-0753 (office) | 585-721-1191 (cell)



**From:** Michael Read <michael@monroedemocrats.com>  
**Sent:** Friday, August 16, 2019 12:08  
**To:** Aaron Gallant <AGallant@afscmecouncil66.org>  
**Subject:** AFSCME endorsement in CL #16?

Dear AFSCME:

Good morning. I am writing to you on behalf of Lorie Barnum, candidate for Monroe County Legislator, representing the 16<sup>th</sup> District. It is my understanding that AFSCME has not yet made an endorsement in the 2019 General Election cycle, as Lorie are currently seeking your endorsement. I send this note to confirm that you have not made any endorsement in the 16<sup>th</sup> LD race as of today, August 16, 2019. Please let me know if you have any questions and thank you again for your time in advance.

All the best,  
Mike

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MCDC Political Director  
1150 University Ave | Building 5 | ROC | 14607

(518) 772-7148 (c)  
(585) 232-2410 (o)  
@read\_em