

FAIR ELECTION PRACTICES CAMPAIGN HEARING COMMITTEE PROCEDURES

HEARINGS:

1. The FEPC will meet to hear complaints within 3 to 7 days of receiving a complaint, during the period preceding an election. **No hearings will be held on or after each Election Day.** The Hearing Committee will judge complaints regarding the context of the Fair Campaign Pledge only. No other criteria will be used. Supporting evidence is appreciated and should be limited to no more than 20 pages.
2. We will invite observers to our Hearing Committee [via Zoom] who are welcome to attend the Zoom hearings, but not the deliberations. Invited observers of the Hearing Committee will not have a vote. The invited observers of the Hearing Committee will be the representatives of the relevant political Party as designated by each Party's Chairperson.
3. Both the complainant and the candidate complained against will have an opportunity to be heard by the Hearing Committee via Zoom. Candidates are expected to appear before the Hearing Committee but may ask a representative to speak on their behalf. Presentations by each side will be limited: twenty minutes for presentation of issues and five minutes for clarification and rebuttal. The media will not be invited.
4. All properly filed complaints accepted by the FEPC Hearing Committee will be heard notwithstanding the failure of either side to appear. At its discretion, the Committee may choose to render a decision on a complaint without a hearing if the facts are clear and time is critical. The Committee will work from the date Pledge forms are due until the day before the election, generally during regular business hours. (Any FEPC Hearing Committee action will be deferred until the candidate lists are officially certified by the Board of Elections.)
5. Two copies of the original complaint package and any additional material must be provided by the complainant to the Committee Chair and the other candidate at the hearing.
6. Only the candidate(s) involved in the complaint and/or their one representative may be present and speak at the hearing.
7. There will be no appeal process. All decisions of the FEPC Hearing Committee are final.

DECISIONS:

1. The **voting** members of the Hearing Committee (not to exceed a panel of 4) shall be composed of an equal number of registered Democrats and registered Republicans. Alternates and the Chair may be used to accomplish this number. In the event of a tie vote, the complaint is deemed denied.

2. A member of the Hearing Committee cannot be actively involved with a candidate and should recuse him or herself, if necessary, from the hearing. Passive activity is that which does not publicly identify the Committee member as a supporter; giving donations is an example of “passive involvement” rather than “active involvement”. Speaking on behalf of a candidate and actively working for the candidates, such as writing/editing speeches, writing letters to the editor or op-ed pieces, posting lawn signs or bumper stickers, and distributing campaign materials, are examples of “active involvement”.
3. Actions of the Hearing Committee will be by majority vote. Decisions will be expressed in written form. Decisions will summarize which allegations are valid or invalid.
4. All decisions will be released by the FEPC Hearing Committee Chair to the candidates and the news media as soon as possible after the votes are taken. The Committee will not delay public release of its decision even if unable to make direct contact with the candidates.

The 2021 Fair Election Practices Campaign Hearing Committee members/alternates are:

Rob Brown (Chair), Marilyn O’Connor, Channing Philbrick, Sue Roberts, Lynda Garner Goldstein, Jim Peters, Lois Giess, Patricia Knapp, Ed Jeffries, Peter Knapp, and Susan Kramarsky.