

FOR IMMEDIATE RELEASE

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**FINDING IN THE COMPLAINT OF ASSEMBLYMAN KEVIN BYRNE AGAINST
STEPHANIE KEEGAN**

Tarrytown, NY (October 19, 2020) - The Westchester County Fair Campaign Practices Committee received the complaint of incumbent Republican Assemblyman Kevin Byrne, candidate for NYS Assembly District 94, against Democratic candidate Stephanie Keegan, candidate for the same position. Because of the clarity of the complaint, the Committee, following its own Guidelines, hereby issues a Finding without holding a hearing. The Committee's Finding is detailed below.

COMPLAINT: Assemblyman Kevin Byrne complains that Stephanie Keegan engaged in unfair campaign practices by posting an opinion piece on Facebook in which she referred to the October 1, 2020 Findings of the Westchester County Fair Campaign Practices Committee but did not quote the Findings, and that she misrepresented the Committee's Findings both on Facebook and in quotes that were provided to the media.

FINDING: UNFAIR

The October 1, 2020 Findings had found that Ms. Keegan engaged in unfair campaign practices. Ms. Keegan's October 9, 2020 post on Facebook, which was then quoted in the media, refers to the Committee's Findings, but neither quotes the Findings nor provides any source or link to them. In addition, Ms. Keegan's post created a false and misleading impression that the Findings were about what constitutes a public statement, when they were actually about making an accusation against an opponent without evidence. The Committee's Findings did not address what constitutes a public statement. Ms. Keegan's statement misrepresented the substance of the complaints and subsequent unfair Findings determined by the Committee. **The Committee requires individual Findings to be quoted in full, so that its conclusions do not mislead voters.**

Ms. Keegan's post violates the following FCPC Principle:

"The candidate will not abuse the Westchester County Fair Campaign Practices Committee process in order to obtain political advantage...The Committee considers ...misrepresentation of its Findings to be an unfair campaign practice."

WESTCHESTER COUNTY
FAIR CAMPAIGN
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NOTE TO THE PUBLIC & THE MEDIA:

*A core belief of the Westchester County Fair Campaign Practices Committee is that words matter. Because the Committee's findings are often used by candidates in their campaigns, the Committee crafts them carefully to minimize the mischaracterization of its determinations. The Committee writes **unfair** rather than **guilty** because it is not a court of law and does not want to give the mistaken impression that a complainee has engaged in an illegal practice. It does not **rule** but rather **finds** candidates' complaints to be fair, as in normal political discourse, or unfair if they are false or misleading. The Committee requires individual findings to be quoted in full, so that its conclusions are not used to mislead the voters.*

Committee Members: Susan P. Guma, [Chair], Jennifer Mebes Flagg [Coordinator], Elizabeth Bermel, Gisele Castro, Miriam Cohen, Victor J. Goldberg, LaRuth Gray, Kyle-Beth Hilfer, Lee Kinnally, Robert C. Kirkwood, Carole Princer Levy, Don Marra, Paul Bennett Marrow, Joy Rosenzweig, Susan Schwarz, John Stern, Evelyn M. Stock
Party representatives (ex officio): Republican Party, Democratic Party, Conservative Party, Working Families Party, Independence Party, Green Party

The purpose of the Westchester County Fair Campaign Practices Committee is to help set an acceptable standard for political discussion by offering a forum for identifying unfair campaign practices and promoting a climate in which candidates conduct honest and fair campaigns. The Committee encourages candidates to conduct campaigns openly and fairly, to focus on issues and qualifications, to refrain from dishonest and defamatory attacks, and to avoid the use of campaign materials that distort the facts.

The Committee accepts written complaints from candidates about alleged unfair campaign practices. The Committee may then hold hearings to determine whether the action complained about is indeed unfair or whether it falls within acceptable political discourse. Among other things that the Committee will consider to be an unfair campaign practice is a misstatement of a material fact or any communication that misleads the public.

The Committee has no power to compel anyone or any group to stop doing what it has found to be unfair, nor does it have the authority or power to enforce election or other laws.

If the Committee acts on a complaint, it will release its findings to inform the public. The Committee may choose not to consider a complaint; in that case, a hearing is not held and the parties to the complaint are notified.

Statement of Principles of the Committee, as stated in its Manual, is available at www.faircampaignpractices.org. The Westchester County Fair Campaign Practices Committee

WESTCHESTER COUNTY
FAIR CAMPAIGN
PRACTICES COMMITTEE

believes that candidates should conduct their campaigns in accordance with the following principles:

- The candidate will conduct a campaign for public office openly and fairly, focusing on issues and qualifications.
- The candidate will not use or condone any campaign material or advertisement that misstates, misrepresents or distorts material fact or any communication that misleads the public.
- The candidate will neither engage in nor be involved with false or misleading attacks upon the character of an opponent, nor in invasions of privacy unrelated to fitness for office.
- The candidate will not participate in or condone any appeal to prejudice.
- The candidate will clearly identify by name the funding source of all advertisements and campaign literature published and distributed.
- The candidate will not abuse the Westchester County Fair Campaign Practices Committee process in order to obtain political advantage. This includes, but is not limited to announcing that he/she has filed a complaint, or quoting from the Committee's Findings unless the individual Finding cited is quoted in its entirety. The Committee considers selective quotation or misrepresentation of its Findings to be an unfair campaign practice.
- The candidate will publicly repudiate materials or actions made on behalf of their candidacy that violate this Statement of Principles.