

## Legal Action Sought in Elections on Both Sides

Written by Steve Frank

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The North Carolina Democratic Party announced today that it is seeking legal action to have illegal candidate television ads being paid for by the N.C. Republican Party taken off the air—some involving the Dan Soucek campaign.

Democrats say that the GOP is running television advertisements for candidate Dan Soucek that they are calling 'illegal,' according to 3rd Quarter finance reports filed with the State Board of Election earlier this week. They say the latest financial disclosures show that the North Carolina Republican Party has purchased at least \$1 million in television air time, including \$73,670 for Soucek, through the media buying firm American Media & Advocacy. However, the ads being run do not bear a "Paid for by the North Carolina Republican Party" disclaimer, instead they claim to be paid for by the candidate, violating election law and subjecting the GOP possible criminal charges. The Republican candidates who have benefited from the illegal ads may be held personally liable for monetary damages under North Carolina Election law. "Disclaimer and disclosure laws exist for a reason, and the Republican Party knowingly and flagrantly violated those laws," said North Carolina Democratic Party Executive Director Andrew Whalen. "They have illegally purchased air time across the state in an attempt to cheat television stations and mislead voters. North Carolina law provides for criminal and civil penalties for their actions, and we plan on pursuing all those options." By fraudulently purchasing the ads and using a candidate disclaimer, the Republican Party was able to attain a cheaper advertising rate reserved for political candidates. "The simple fact is that the GOP knew they were purchasing this air time, not the candidates. They knowingly broke the law, and we are actively seeking recourse through every available means to prevent these illegal ads from being run," Whalen continued. As the Republican Party was not entitled to the candidate advertising rate, the rate discount currently stands as an illegal corporate contribution to the GOP from the television stations. The NCDP has sent intent to sue letters to the GOP and the candidates benefitting from the illegal ads. Television stations that have been airing the fraudulent ads have also been notified. The illegal ads are currently airing across the state including: Senate District (SD) 5 for Louis Pate; SD 8 for Bill Rabon; SD 9 for Thom Goolsby; SD10 for Brent Jackson; SD 11 for Buck Newton; SD 19 for Wesley Meredith; SD 24 for Rick Gunn; SD 45 for Dan Soucek; SD 47 for Ralph Hise; and SD 50 for Jim Davis. Meanwhile, the state Republican Party filed a federal lawsuit Friday over what it says are voting machines with programming flaws. Republicans say the machines cause votes to be cast for Democrats that voters wanted to cast for Republicans. According to the State Board of Elections, 35 counties use the iVotronic machines for one-stop voting. The lawsuit asks the court in counties that use the machines to stop unless the board files an affidavit assuring software errors are corrected; that voters using the machines be told about the problems and to check their ballots; and that elections officials keep all voting machines and electronic data. Then locally, I'm hearing from residents saying that on Thursday morning, October 28, the Watauga County Democratic Party began receiving complaints that "parties unknown" had engineered robo-calls to county voters between 2 and 4 a.m. According to the party, the calls were 'obviously timed to disturb people's sleep and were clearly intended to embarrass the Democratic Party and make call recipients angry.' They went on to say, 'Since it is illegal to

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make robo-calls before 9 am, whomever is responsible also broke the law. Their release continued 'this sort of campaigning has no place in civilized society. It must stop, and the political interests doing it should be called to account for breaching the protocols of decency and fair play.' There was no word on legal action in this case.