

OFFICE OF THE PROSECUTOR
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THOMAS S. FERGUSON
Prosecutor

ANGELA F. BORKOWSKI
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MARK L. FRANCIS
Senior Assistant Prosecutor

KIRK T. TRAUGER
Chief of Detectives

County of Warren _____

PRESS RELEASE

For your information, the following are copies of Memoranda which was mailed to Law Enforcement and Warren County Candidates regarding campaign literature and communications.

Date: _____

10/21/08



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MEMORANDUM

TO: Warren County Station Commanders
Warren County Chiefs of Police
Lieutenant Charles Lilly, OIC-Oxford
Sergeant Stephen Losey, OIC-Blairstown
Warren County Sheriff
Warren County State Ranger
Warren County Election Board
Warren County Candidates
Warren County Chairmen

FROM: Prosecutor Thomas S. Ferguson

DATE: October 20, 2008

RE: **Campaign Literature/Communications**

All candidates and their campaign committees are reminded that N.J.S.A. 19:44A-22.3a provides:

Whenever a candidate committee, joint candidates committee, political committee, continuing political committee, political party committee or legislative leadership committee, or any group other than such a committee, or any person makes, incurs or authorizes an expenditure for the purpose of financing a communication aiding or promoting the nomination, election or defeat of any candidate or providing political information on any candidate which is an expenditure that the committee, group or person is required to report to the Election Law Enforcement Commission pursuant to P.O. 1973. C. 83 (C. 19:44A-1 et seq.), **the communication shall clearly state the name and business or residence address of the committee, group or person, as that information appears on reports filed with the commission, and that the communication has been financed by that committee, group or person.**

A similar obligation applies to any Committee, group, or person financing a communication, aiding the passage or defeat of any public question, or providing political information on any public question. N.J.S.A. 19:44A-22.3b.

Failure to comply with these provisions shall result in penalties up to \$500.00.

In addition, keep in mind that the destruction, vandalism, and removal of political campaign signs will not be tolerated in Warren County. Such acts constitute offenses in violation of the New Jersey Criminal Code (e.g., criminal mischief and theft). It is the firm policy of this office to prosecute anyone who is seen engaging in such behavior, regardless of political affiliation. These violations carry upon conviction a fine of up to \$1,000.00 and a jail sentence of up to six months for each and every act.

As Chief Law Enforcement Officer of Warren County, I am instructing all law enforcement personnel within this County to be alert to this unlawful activity and to see that violators are charged. I respectfully request all campaign managers and candidates for office to remind their supporters and workers that candidates for office spend money and time to print and post campaign signs. This is a part of the election process that should not be and will not be disturbed by vandals without penalty.

All persons engaged in political campaign activity are also reminded that a sign which attracts or is intended to attract the attention of any person or persons on a roadway "...may not be painted, drawn, erected or maintained upon trees, rocks, other natural features or public utility poles." N.J.S. 27:5-9, N.J.S. 27:5-16. Likewise, no campaign sign should be placed on another person's property without their permission.

In addition, enclosed herein is a copy of **Resolution 697-97, "RESOLUTION PROHIBITING THE PLACEMENT OF STICKERS ON COUNTY-OWNED ROAD SIGNS AND ROAD GUARD RAILS AND REQUIRING THE IMMEDIATE REMOVAL OF THOSE STICKERS ALREADY IN PLACE."** This Resolution was passed on December 10, 1997 and is self-explanatory. All candidates are asked to fully cooperate with this Resolution.



THOMAS S. FERGUSON
Prosecutor

Cc: John DiMaio, Freeholder Director
Richard D. Gardner, Freeholder Deputy Director
Everett Chamberlain, Freeholder
Pat Kolb, County Clerk

RESOLUTION 697-97

On motion by Mr. Lance, seconded by Mrs. Dickey, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held December 10, 1997.

RESOLUTION PROHIBITING THE PLACEMENT OF STICKERS ON COUNTY-OWNED ROAD SIGNS AND ROAD GUARD RAILS AND REQUIRING THE IMMEDIATE REMOVAL OF THOSE STICKERS ALREADY IN PLACE

WHEREAS, Warren County Public Works has had numerous complaints from citizens of Warren County regarding the unsightly appearance of various stickers which are being placed, affixed or secured to County-owned road signs and road guard rails by various organizations, political parties and citizens; and

WHEREAS, Warren County desires to prohibit such stickers from being placed, affixed or secured to County-owned road signs and road guard rails to preserve the beauty, integrity and appearance of County roadways; and

WHEREAS, reasonable time, place and manner restrictions, such as the prohibition of such stickers on County-owned road signs and road guard rails; are a permissible and reasonable exercise of the County's power to regulate such stickers in the public interest.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Warren, in the County of Warren, State of New Jersey, as follows:

1. The placing, affixing or securing of stickers to County-owned road signs and road guard rails is hereby prohibited.
2. The County of Warren is hereby authorized to require any organization, political party or citizen placing, affixing or securing such stickers to County-owned road signs and road guard rails to remove the same.
3. This Resolution shall take effect immediately.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

s/Naomi J. Stout, Deputy Clerk

Mrs. Dickey asked how we would enforce this policy and it was decided to write to both political parties and ask for their cooperation.

ROLL CALL: Mr. Lance: yes Mrs. Dickey: yes Mrs. Stone: yes