



## NEWS RELEASE

CONTACT: WILLIAM H. ELDRIDGE  
CHAIRMAN  
(908) 464-9267

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PRESS RELEASE

William H. Eldridge, Chairman of the New Jersey Election Law Enforcement Commission (ELEC), today praised Assemblyman Monroe Jay Lustbader (R-Essex) for introducing legislation that would curb deliberately false political advertising.

"I am delighted that Assemblyman Lustbader has determined to introduce legislation that prohibits false advertising but at the same time does not in any way infringe upon free speech," said Eldridge. "I am convinced that such a prohibition is essential to the very health of the electoral process that we in New Jersey cherish."

Assemblyman Lustbader's legislation would make it a disorderly person's offense for any person to attempt to affect the outcome of an election for State or local office by publishing, broadcasting, or otherwise disseminating any campaign advertisement which contains a knowingly false statement of material fact about a candidate.

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The legislation also covers knowingly false statements made on behalf of or in opposition to a candidate by individuals or groups, and requires a showing of clear and convincing evidence.

Eldridge had taken the lead in the effort to regulate deliberately false political advertising when, following the recent general election, he called for New Jersey to enact comprehensive legislation that would encourage healthy debate on the issues and discourage recklessly false political advertising that is dishonest and divisive.

More recently he organized and chaired a public hearing of the Election Law Enforcement Commission wherein testimony was heard from local candidates about the effects of personal attacks on them personally and on their campaigns.

According to Eldridge, he plans to hold another hearing on the issue when the Commission meets in Trenton on January 17, 1995.

"I believe that I speak for most voters when I say that the ugly and bitter tone of recent campaigns for public office is out of control and undermines the democratic process of free elections," said Eldridge. "Strong action must be taken to insure that public confidence in our elected officials is not undercut to the point where the very roots of our society are shaken."

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"There is no question but that we must protect the First Amendment as it applies to political speech," continued Eldridge. "Certainly, that is an issue of great concern to me. However, we must protect the integrity of the electoral process as well."

Eldridge said that he is convinced that Assemblyman Lustbader's bill "protects political speech while penalizing candidates that deliberately and maliciously lie about their opponents to gain elected office."

Eldridge, stating that he was motivated by the fact that negative campaigns have discouraged "sensitive, thoughtful people from running for office," said that he plans to continue his efforts to bring about a "false campaign advertising law."

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