

## Vote board reprimands Schmidt

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Author: Jon Craig Enquirer Columbus Bureau

'False statements' cited; McEwen's residency upheld

OHIO VOTES: ELECTION 2006

COLUMBUS - A unanimous Ohio Elections Commission voted to issue U.S. Rep. Jean Schmidt a public reprimand Thursday for "false statements" - claiming she had a second undergraduate degree from the University of Cincinnati that she never received.

A letter citing the campaign's "reckless disregard for truth" was to be sent by the commission today to Schmidt, her campaign and her husband, Peter, as committee treasurer. It's the most serious punishment short of fines or criminal prosecution.

Schmidt spokesman Allen Freeman said the campaign would appeal the 7-0 ruling.

The reprimand comes just five days before the May 2 primary. Schmidt and former Rep. Bob McEwen are locked in a fierce Republican Party battle for the 2nd Congressional District seat nomination.

William Todd, Schmidt's attorney, conceded, "Yes, there was a mistake and the mistake was corrected."

The commission dealt two other blows to the Schmidt campaign Thursday by:

Determining she made other false statements. The commission found she claimed an endorsement from Tom Tancredo, a Colorado congressman, and the Family Research Council. The commission said the violation did not warrant fines or other punishment.

Tossing a complaint against McEwen that he made false statements about living and voting in Ohio. A bipartisan panel of the commission voted 3-1 to find "no probable cause" to hear evidence on that complaint, filed by Schmidt's campaign manager.

McEwen, at a fundraising event for Pennsylvania Sen. Rick Santorum at Cincinnati's Queen City Club, said he was delighted by Thursday's actions.

"The reason that I was cleared was that (Schmidt's) operatives made the most bogus charges you could imagine and the commission utterly rejected them," McEwen said. "The commission saw through her."

Freeman said the Schmidt campaign might file a new complaint today challenging McEwen's Ohio residency and right to vote here. "We're disappointed they didn't find probable cause," he said.

Both complaints against Schmidt were filed by James P. Urling, chairman of the Coalition Opposed to Additional Spending and Taxes, or COAST.

The commission said Schmidt's campaign Web site report of a second degree, which also was reported in newspapers last summer, was significant enough to affect election outcomes.

Urling, of Norwood, called the public reprimand vindication that confirms Schmidt "is simply not fit to hold office." Campaigns often use such rulings in last-minute ads or door-to-door literature.

Freeman said the mistake was corrected last spring. "It has no bearing on this particular campaign," he said.

To underscore what he said was Schmidt's hesitance to admit the errors, Urling's Hyde Park attorney, Christopher P. Finney, read portions of Schmidt's 68-page deposition in which she says "I don't know," "I'm not sure," "I can't answer that," or "I don't remember" at least 50 times.

McEwen's attorney, Donald Brey, called the complaint against him frivolous.

The commission found no violation against Schmidt for publicizing that she had the endorsement of U.S. Rep Steve Chabot of Cincinnati. The commission agreed with testimony that Chabot endorsed both Schmidt and McEwen and would not ask her to remove his endorsement from her Web site.

Some of the more than five hours of hearings was spent arguing over whether Schmidt and her husband, Peter, should have responded to subpoenas to testify Thursday.

Todd argued that Congress was in session and Mr. Schmidt was out of the country.

Staff writers Howard Wilkinson and Malia Rulon of the Enquirer's Washington Bureau contributed. E-mail [jcraig@enquirer.com](mailto:jcraig@enquirer.com).

The scorecard

In the past six weeks, there have been five Ohio Elections Commission complaints filed in the 2nd Congressional District GOP primary - three against challenger Bob McEwen and two against incumbent Jean Schmidt.

McEwen has won two complaints filed against him and lost one. Thursday, U.S. Rep. Jean Schmidt lost both complaints against her.

Thomas W. Blumer of Mason versus Bob McEwen (filed Dec. 29): False statement for using the title "congressman" before his name in campaign ads and literature in the 2005 primary for Rob Portman's unexpired term. Ohio Elections Commission voted 6-1 on March 16 to issue a public reprimand against McEwen.

No fines or prosecution.

Blumer versus McEwen (filed March 17): False statements for continuing to use the title "congressman" on his campaign Web pages.

Dismissed by 4-0 commission panel March 29.

James P. Urling of Norwood versus Schmidt (filed March 29): False statements for claiming endorsements from two congressmen and the Family Research Council. Commission found election law violations Thursday related to two of the three endorsements, but for "good cause" ordered no fines or prosecution.

Urling versus Schmidt for Congress (filed March 31): False statement for reporting two undergraduate degrees on campaign Web site and in other publications.

Commission voted 7-0 Thursday to issue Schmidt and her campaign a public reprimand.

Schmidt campaign manager Allen Freeman versus Bob and Elizabeth McEwen (filed last Friday): False statements for saying McEwen and his wife have lived and voted in Ohio, when they actually resided in Fairfax Station, Va.

Commission panel voted 3-1 Thursday to dismiss. Found no probable cause of a violation.

Ohio Elections Commission

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