



# TEXAS ETHICS COMMISSION

P. O. Box 12070, Capitol Station  
Austin, Texas 78711-2070

Tom Ramsay  
Chair

Jim Clancy  
Vice Chair

David A. Reisman  
Executive Director

June 28, 2012

Commissioners

Hugh C. Akin  
Tom Harrison  
Paul W. Hobby  
Bob Long  
Paula M. Mendoza  
Chase Untermeyer

Mr. Richard E. Dodson

FIRST CLASS MAIL

Re: Notice of Noncompliance, SC-31206202

Dear Mr. Dodson:

We received sworn complaint SC-31206202 on June 21, 2012. This complaint does not comply with the legal and technical form requirements for a complaint filed with the Texas Ethics Commission.

The Ethics Commission must reject a complaint if it does not comply with certain form requirements. These requirements are meant to guarantee fairness and due process to all persons involved. A complaint must allege facts that constitute a violation of a rule adopted by or a law administered and enforced by the commission, and that provide sufficient detail to reasonably place the respondent on notice of the law violated and the manner and means by which the violation allegedly occurred and to afford the respondent a basis on which to prepare a response. Section 12.61, Ethics Commission Rules. Your complaint alleges that the respondent misrepresented his identity in political advertising or a campaign communication and represented in political advertising or a campaign communication that he held an office that he did not hold. The allegations are apparently based on an article in a newspaper that stated that the respondent was "voted into judicial office." Although the article at issue states that "information for this story [was] provided by Ben Smith," the complaint does not provide any evidence that the respondent provided the specific language at issue to be used by the newspaper, that the respondent actually wrote any part of the article, or that the article was published in return for consideration. Therefore, the complaint will not be accepted.

If you wish to re-file this complaint, please make the indicated changes and mail the revised complaint no later than 21 days after the date of this letter. I have enclosed your original complaint, and a copy of the rules for filing a sworn complaint. **You must submit a complete complaint with a new affidavit.** The sworn complaint form is available at [www.ethics.state.tx.us/tec/sworn.html](http://www.ethics.state.tx.us/tec/sworn.html) on our website. Please read the instructions carefully. If the complaint is properly filed, you will receive a "Notice of Compliance" and a summary of the next few steps of the sworn complaint procedure. If the complaint is not resubmitted by the deadline, you will receive a "Notice of Dismissal." If the resubmitted complaint is again insufficient you will receive another "Notice of Noncompliance."

Future notices and correspondence will be sent by regular mail, unless the commission is notified otherwise.

*Come visit our home page at <http://www.ethics.state.tx.us> on the Internet.*

(512) 463-5800 • FAX (512) 463-5777 • TDD 1-800-735-2989

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

Please note that at this stage in the process, Ethics Commission members and staff are required by law to keep the complaint and all documents relating to it strictly confidential. However, other persons, including the complainant and respondent named in the complaint, are not bound by this confidentiality requirement.

If you have any questions, please contact me at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read 'Homer A. Diaz', with a large, stylized flourish extending to the right.

Homer A. Diaz  
Assistant General Counsel

HAD:mc

Enclosures: Complaint (original to complainant, copy to respondent)  
Rules Concerning Sworn Complaints

c: Mr. Ben Smith

[Redacted]  
[Redacted]

**FIRST CLASS MAIL**

### SWORN COMPLAINT BEFORE THE TEXAS ETHICS COMMISSION

An individual must be a resident of the state of Texas to be eligible to file a sworn complaint with the Texas Ethics Commission. The complainant is required to attach to the complaint a copy of one of the following documents:

- complainant's driver's license or personal identification certificate issued under Chapter 521 of the Transportation Code, or commercial driver's license issued under Chapter 522 of the Transportation Code; or
- a utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the complainant and is dated not more than 30 days before the date on which the complaint is filed.

Effective September 1, 2009, an individual may also be eligible to file a sworn complaint with the Texas Ethics Commission if the individual owns real property in the state of Texas. Under this provision, the complainant will be required to attach to the complaint a copy of a property tax bill, notice of appraised value, or other government document that shows the name of the complainant, shows the address of the real property in Texas, and identifies the complainant as the owner of the real property.

<b>OFFICE USE ONLY</b>	
Docket Number	
SC-31206202	
Date Rec'd: JUN 21 2012	
Texas Ethics Commission	

#### I. IDENTITY OF COMPLAINANT

#19458

1 COMPLAINANT NAME	MS / MRS / MR <input checked="" type="checkbox"/>	FIRST <b>RICHARD</b>	MI <b>E</b>		
	NICKNAME	LAST <b>DODSON</b>	SUFFIX		
2 COMPLAINANT PHYSICAL ADDRESS	ADDRESS	APT / SUITE #	CITY	STATE	ZIP CODE
(Full home or business address, including street, city, state, and zip code)					
3 COMPLAINANT MAILING ADDRESS	ADDRESS	APT / SUITE #	CITY	STATE	ZIP CODE
(check if same as above) <input checked="" type="checkbox"/> (Full home or business address, including street, city, state, and zip code)					
4 COMPLAINANT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT	5 COMPLAINANT E-MAIL ADDRESS	

#### II. IDENTITY OF RESPONDENT

6 RESPONDENT NAME	MS / MRS / MR <input checked="" type="checkbox"/>	FIRST <b>BEN</b>	MI		
	NICKNAME	LAST <b>SMITH</b>	SUFFIX		
7 RESPONDENT POSITION OR TITLE	<b>JUDICIAL CANDIDATE</b>				
8 RESPONDENT PHYSICAL ADDRESS	ADDRESS	APT / SUITE #	CITY	STATE	ZIP CODE
(Full home or business address, including street, city, state, and zip code)					
9 RESPONDENT MAILING ADDRESS	ADDRESS	APT / SUITE #	CITY	STATE	ZIP CODE
(check if same as above) <input checked="" type="checkbox"/> (Full home or business address, including street, city, state, and zip code)					
10 RESPONDENT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT	11 RESPONDENT E-MAIL ADDRESS (IF KNOWN)	<b>MRBENSMITH@GMAIL.COM</b>

GO TO PAGE 2

**III. NATURE OF ALLEGED VIOLATION**

Page 2

Include the specific law(s) or rule(s) alleged to have been violated. The Texas Ethics Commission has jurisdiction to enforce only the following laws: (1) Title 15 of the Election Code; (2) Chapters 302, 303, 305, 572, 2004 of the Gov't Code; (3) § 334.025 and § 335.055 of the Local Gov't Code; (4) Subchapter C, Chapter 159 of the Local Gov't Code, in connection with a county judicial officer who elects to file a financial statement with the commission; (5) § 2152.064 and § 2155.003 of the Gov't Code; (6) § 306.005 of the Gov't Code.

*SEE ATTACHMENT*

ATTACH ADDITIONAL PAGES AS NEEDED

**IV. STATEMENT OF FACTS**

**Page 3**

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

*SEE ATTACHMENT*

**ATTACH ADDITIONAL PAGES AS NEEDED**

**V. LISTING OF DOCUMENTS AND OTHER MATERIALS**

**Page 4**

List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.

*SEE ATTACHMENT*

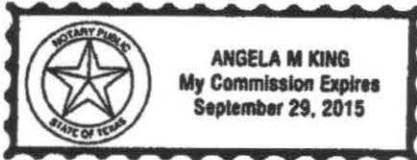
ATTACH ADDITIONAL PAGES AS NEEDED

**VI. AFFIDAVIT  
BASED ON PERSONAL KNOWLEDGE**

Page 5

(Execute this affidavit if the acts alleged are within your direct personal knowledge.)

I, Richard E Dodson, complainant,  
swear that I am a resident of the state of Texas. I swear that I have knowledge of the  
facts alleged in this complaint and that the information contained in this complaint is  
true and correct.



[Signature]

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Richard E. Dodson, this the 20th day of  
June, 2012, to certify which, witness my hand and seal of office.

[Signature]

Angela M. King

Notary

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

**VII. AFFIDAVIT  
BASED ON INFORMATION AND BELIEF**

(Execute this affidavit if the acts alleged are not within your direct personal knowledge, but are based on reasonable belief.)

I, \_\_\_\_\_, complainant,  
swear that I am a resident of the state of Texas. I swear that I have reason to believe  
and do believe that the violation alleged in this complaint has occurred. The source  
of my information and belief is

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

Candidate Ben Smith violated the following sections of the Election Code:

***Title 15: Election Code section §255.005—Misrepresentation of Identity***

- (a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person misrepresents the person's identity....”

On June 2, 2012, two days after the primary election and after the results were made public, judicial candidate Ben Smith submitted an article to the Dallas Morning News *Neighbors Go* section stating that he “recently was voted into judicial office at the 380<sup>th</sup> District Court in Collin County”. *See No. 1*

This is not true. Mr. Smith is in a run-off as he did not receive over 50% of the votes. *See No. 2 – 3*. Mr. Smith, as a candidate, knew full well when he wrote the article that he was not “voted into office”. Mr. Smith wrote the article as it says clearly states at the conclusion of the article “Information for this story provided by Ben Smith. *See No. 1*

He wrote the article with the intent to injure his opponent and to influence the result of an upcoming run-off election by misleading voters into believing he was the incumbent going into a run-off. He has violated §255.005 and should be held accountable.

***Title 15: Election Code §255.006—Misleading Use of Office Title***

- (a) A person commits an offense if the person knowingly enters into a contract or other agreement to print, publish, or broadcast political advertising with the intent to represent to an ordinary and prudent person that a candidate holds a public office that the candidate does not hold at the time the agreement is made.

Mr. Smith entered into an agreement with the newspaper to print and publish the article. He was the author of the article and was printed and published to voters at his direction. The voters are the ordinary and prudent person and would believe that he did win the Primary when he did not. He is not the Judge and is holding himself out as being the elected Judge of the 380<sup>th</sup> Judicial District Court, which he is not.

- (b) A person commits an offense if the person knowingly represents in a campaign communication that a candidate holds a public office that the candidate does not hold at the time the representation is made.

In the article Mr. Smith *knowingly* represented (two days after the election) in a campaign communication that he was voted the Judge of the 380<sup>th</sup> Judicial District Court in Collin County, which he is not. At the time he made the representation, he



was not the Judge and is still not the Judge as he is in a run-off with the run-off election scheduled for July 31.

(c) For purposes of this section, a person represents that a candidate holds a public office that the candidate does not hold if:

- (1) The candidate does not hold the office that the candidates seeks; and
- (2) The political advertising or campaign communication states the public office sought but does not include the word "for" in a type size that is at least one-half the type size used for the name of the office to clarify that the candidate does not hold that office.

Mr. Smith is not a Judge and in the article he wrote and submitted, he does NOT state he is a candidate "for" the 380<sup>th</sup> judicial District Court. He clearly states he "*was recently voted into judicial office*". He has violated this section because he does NOT hold the office of Judge of the 380th Judicial District Court AND he did not include the word "for" in his campaign communication written by him and published to the public.

**Election Code §255.006 Penalty**

(e) An offense under this section is a Class A Misdemeanor which under Penal Code §12.21, carries a punishment range including up to 1 year in county jail and/or or a \$4,000 maximum fine.

Candidate Smith intentionally submitted a campaign article stating he was voted into office (Judge) of the 380<sup>th</sup> Judicial District Court in Collin County with the intent to injure his opponent or influence the outcome of the upcoming run-off by gaining an advantage in the election by misleading the public into believing he is an incumbent.

He also entered into a contract with the paper to publish the article with the intent to represent to an ordinary and prudent person that he holds a public office, which he does not. He knew he did not hold the office at the time the representation was made. He also did not include the word "for" Judge as required.

Voters may believe there is no reason to go back to the polls on July 31 as Mr. Smith was already elected the Judge. There is no recourse to the public or to his opponent as the injury and damage have been done.

Due to his violation of numerous sections of the Election Code, Mr. Smith should be found "guilty" and confined in jail, fined the entire amount for his unethical actions and/or removed from the run-off ballot entirely.

## Lawyer Ben Smith receives community recognition

SUBMITTED STORY

Ben Smith, a McKinney resident who recently was voted into judicial office at the 380th District Court in Collin County, has been selected for the 2012 40 Under 40 award sponsored by the *Collin County Business Press*.



Ben Smith

Smith most recently served in the Collin County District Attorney's office as chief of the special prosecution division. In December 2011, he resigned his position to pursue the 380th district court judgeship and to open his own law practice.

The 40 Under 40 award brings together a group of motivated, engaged and dynamic people. Smith, along with 39 other Collin

County men and women under the age of 40, will be honored June 6 at the Hyatt Place Garland.

"It's an honor to be selected for 40 Under 40 and to be a part of this group," Smith said. "We live in a vibrant and thriving community with many capable young leaders who are committed to making a difference in Collin County."

During his career in Collin County DA's office, Smith also served as chief felony prosecutor in the trial division, second assistant district attorney and chief of the misdemeanor division. He has tried a number of high-profile cases and was the first prosecutor in Collin County history to obtain a conviction from a jury in a mortgage fraud case.

*Information for this story provided by Ben Smith.*

FRIENDS PLACE

No. 1

MAKING A DIFFERENCE



Photo submitted by LYNN BERGMAN

**The Other Guys** — CJ Starr (from left), Jeff Stachowski and Tyson Faifer — will perform a fundraiser at 8 p.m. June 9 at The Vault at the School of Rock, 6891 Main St.

## Comedy fundraiser to help fight against Crohn's disease

SUBMITTED STORY

and was the winner of the Wendy's Clean Comedy Challenge. Lewis has

Crohn's and colitis disease can be

was a former finalist at the same

From: electionresults <electionresults@collincountytx.gov>  
 To: electionresults <electionresults@collincountytx.gov>  
 Subject: Collin County Election Results  
 Date: Tue, May 29, 2012 11:28 pm

Collin County Election Results

<p><b>Election Summary Report</b>  <b>Republican and Democrat Primary</b>  <b>Summary For Jurisdiction Wide, All Counters, All Races</b>  <b>Combined Accumulated Totals</b></p>	<p>05/29/12 23:15:44</p>
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Registered Voters 435397 - Cards Cast  
 54901 12.61%

Num. Report Precinct 202 - Num. Reporting  
 202 100.00%

President - Dem	Dem		
		Total	
Number of Precincts		202	
Precincts Reporting		202	100.0 %
Vote For		1	
Times Counted	5676/435397		1.3 %
Total Votes		5533	
Times Blank Voted		143	
Times Over Voted		0	
Number Of Under Votes		0	
<hr/>			
Darcy G. Richardson		90	1.63%
John Wolfe		53	0.96%
Bob Ely		42	0.76%
<b>Barack Obama</b>		<b>5348</b>	<b>96.66%</b>

United States Senator - Dem	Dem		
		Total	
Number of Precincts		202	
Precincts Reporting		202	100.0 %
Vote For		1	
Times Counted	5676/435397		1.3 %
Total Votes		4892	
Times Blank Voted		782	
Times Over Voted		2	
Number Of Under Votes		0	
<hr/>			
Grady Yarbrough		866	17.70%
Sean Hubbard		1033	21.12%
Addie Dainell Allen		1005	20.54%
<b>Paul Sadler</b>		<b>1988</b>	<b>40.64%</b>

<p><b>United States Representative, District 4 - Dem Dem</b></p>
------------------------------------------------------------------

No. 2

Precincts Reporting	202	100.0 %
Vote For	1	
Times Counted	49225/435397	11.3 %
Total Votes	27233	
Times Blank Voted	21992	
Times Over Voted	0	
Number Of Under Votes	0	
<hr/>		
<b>Robert M. "Bob" Fill</b>	27233	100.00%

<b>Justice, 5th Court of Appeals District, Place 13 - Rep</b>		
		Rep
		Total
Number of Precincts	202	
Precincts Reporting	202	100.0 %
Vote For	1	
Times Counted	49225/435397	11.3 %
Total Votes	26765	
Times Blank Voted	22460	
Times Over Voted	0	
Number Of Under Votes	0	
<hr/>		
<b>Elizabeth Lang Miers</b>	26765	100.00%

<b>District Judge, 199th Judicial District - Rep</b>		
		Rep
		Total
Number of Precincts	202	
Precincts Reporting	202	100.0 %
Vote For	1	
Times Counted	49225/435397	11.3 %
Total Votes	34467	
Times Blank Voted	14758	
Times Over Voted	0	
Number Of Under Votes	0	
<hr/>		
<b>Angela Tucker</b>	19508	56.60%
<b>Bob Dry</b>	14959	43.40%

<b>District Judge, 380th Judicial District - Rep</b>		
		Rep
		Total
Number of Precincts	202	
Precincts Reporting	202	100.0 %
Vote For	1	
Times Counted	49225/435397	11.3 %
Total Votes	33913	
Times Blank Voted	15304	
Times Over Voted	8	
Number Of Under Votes	0	
<hr/>		

Terri Green	9679	28.54%
Jody Johnson	7472	22.03%
Chip Jarvis	4600	13.56%
<b>Ben Smith</b>	12162	35.86%

<b>District Judge, 401st Judicial District - Rep Rep</b>		
		Total
Number of Precincts		202
Precincts Reporting		202 100.0 %
Vote For		1
Times Counted	49225/435397	11.3 %
Total Votes		29719
Times Blank Voted		19506
Times Over Voted		0
Number Of Under Votes		0
<hr/>		
<b>Mark Rusch</b>	19867	66.85%
<b>James C. Mosser</b>	9852	33.15%

<b>District Judge, 416th Judicial District - Rep Rep</b>		
		Total
Number of Precincts		202
Precincts Reporting		202 100.0 %
Vote For		1
Times Counted	49225/435397	11.3 %
Total Votes		26529
Times Blank Voted		22696
Times Over Voted		0
Number Of Under Votes		0
<hr/>		
<b>Chris Oldner</b>	26529	100.00%

<b>Judge, County Court at Law Number 2 - Rep Rep</b>		
		Total
Number of Precincts		202
Precincts Reporting		202 100.0 %
Vote For		1
Times Counted	49225/435397	11.3 %
Total Votes		32823
Times Blank Voted		16400
Times Over Voted		2
Number Of Under Votes		0
<hr/>		
<b>Barnett Walker</b>	14258	43.44%
<b>Sharon Ramage</b>	11568	35.24%
<b>Gene Sera</b>	6997	21.32%

<b>Sheriff - Rep</b>	<b>Rep</b>	<b>Total</b>
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COLLIN COUNTY

# Sheriff re-elected; Hill wins commissioner race

Smith, Green head into runoff for former Judge Wooten's bench

By JEFFREY WEISS  
Staff Writer  
jweiss@dallasnews.com

Collin County voters re-elected their longtime sheriff and cast ballots for a couple of positions whose previous occupants lost their jobs after being convicted of felonies. Turnout in Collin County, as with most of the state, was

light.

There were no Democratic candidates in these races, so the winner of the Republican primary will be elected.

Collin County Sheriff Terry Box was first elected to his post in 1985. With more than 90 percent of the votes counted Tuesday, Box was rolling to an easy win, pulling more than twice as many votes as his two opponents, combined.

Until last November, Suzanne Wooten was the judge for the 308th District Court.

She was convicted of bribery and other charges. Two of the four candidates running to fill that seat appear headed for a runoff.

Ben Smith, a Collin County prosecutor for seven years, got a bit more than a third of the votes on Tuesday. Terri Green, who cited her experience with family law cases, pulled a bit less than a third of the votes.

Smith's endorsements included the McKinney Police Association and the Collin

County Deputies Association. Green's list of endorsements included the mayors of Frisco, Allen, Parker, Prosper, New Hope and Celina.

Collin County District Clerk Patricia Crigger was found guilty last year of having her employees work for her re-election campaign on county time. Local attorney Andrea Stroh Thompson was appointed to fill the position and was holding a comfortable lead over her lone rival, businessman Tim Baker.

Thompson's endorsements included nods from the Collin County Conservative Republicans Club and state Sen. Florence Shapiro.

A tea party favorite took the race for Precinct 3 on the Collin County Commissioners Court. Chris Hill's slim early lead over Ray Eckenrode grew as the votes continued to be tallied. Hill's endorsements included the North Texas Tea Party, Texas Tea Party and the Collin County Conservative Republicans.

## RESULTS

### DALLAS COUNTY

√ - Nominee, R - To runoff, (I) - Incumbent

**162nd DISTRICT JUDGE - DEMOCRAT**

Precincts reporting: 97%	
R Phyllis Lister Brown	21,780 44%
R Marcela Moore	12,712 25%
Baltasar Cruz	4,695 9%
David Diaz	4,108 8%
Teresa Guerra Snelson	3,666 7%
Scott Perry	3,034 6%

**CRIMINAL DISTRICT JUDGE 4 - DEMOCRAT**

Precincts reporting: 97%	
√ Dominique Collins	27,267 63%
J.R. Cook	15,965 37%

**SHERIFF - REPUBLICAN**

Precincts reporting: 97%	
√ Kirk Launius	32,420 65%
Renee Christian	17,528 35%

**SHERIFF - DEMOCRAT**

Precincts reporting: 97%	
√ Lupe Valdez (I)	37,605 73%
Charlie Thomas	15,861 27%

**COUNTY COMMISSIONER, DISTRICT 1 - REPUBLICAN**

Precincts reporting: 97%	
√ Larry Miller	7,887 72%
Cecile Fernandez	3,009 28%

### COUNTY COMMISSIONER, DISTRICT 1 - DEMOCRAT

Precincts reporting: 94%	
R Theresa Daniel	4,465 53%
R Daniel Davis Clayton	2,619 31%
Gloria Tercero Levario	1,287 15%

**COUNTY COMMISSIONER, DISTRICT 3 - DEMOCRAT**

Precincts reporting: 100%	
√ John Willey Price (I)	20,735 76%
Micah B. Phillips	2,862 10%
Betty Culbreath	1,930 7%
Bennie Brown	1,751 6%

### COLLIN COUNTY

**199th DISTRICT JUDGE - REPUBLICAN**

Precincts reporting: 100%	
√ Angela Tucker	19,200 56%
Bob Dry	14,802 44%

**308th DISTRICT JUDGE - REPUBLICAN**

Precincts reporting: 100%	
R Ben Smith	12,004 36%
R Terri Green	9,571 29%
Jody Johnson	7,400 22%
Chip Jarvis	4,518 13%

### 401st DISTRICT JUDGE - REPUBLICAN

Precincts reporting: 100%	
√ Mark Rusch (I)	19,639 67%
James Mosser	9,745 33%

**COUNTY COURT AT LAW JUDGE - REPUBLICAN**

Precincts reporting: 100%	
R Barnett Walker	14,087 43%
R Sharon Ramage	11,444 35%
Gene Sera	6,869 22%

**SHERIFF - REPUBLICAN**

Precincts reporting: 100%	
√ Terry Box (I)	25,493 69%
Chuck Presley	5,862 16%
Michael Brooks	5,519 15%

**COUNTY COMMISSIONER, PRECINCT 3 - REPUBLICAN**

Precincts reporting: 100%	
√ Chris Hill	5,897 54%
Ray Eckenrode	5,025 46%

**CONSTABLE, PRECINCT 4 - REPUBLICAN**

Precincts reporting: 100%	
√ Joa Wright	6,543 77%
Cesare Venegoni	1,986 23%

**DENTON COUNTY**

**16th DISTRICT JUDGE - REPUBLICAN**

Precincts reporting: 100%	
√ Sherry Shipman	24,597 83%
Derbha Houston Jones	4,880 17%

### SHERIFF - REPUBLICAN

Precincts reporting: 100%	
√ William Travis	17,185 54%
Benny Parkey (I)	11,017 35%
Jesse Flores	3,485 11%

**TAX ASSESSOR-COLLECTOR - REPUBLICAN**

Precincts reporting: 100%	
Michelle French	15,367 51%
Marc Moffitt	14,781 49%

**CONSTABLE, PRECINCT 2 - REPUBLICAN**

Precincts reporting: 100%	
√ Michael Truitt (I)	3,035 71%
Hal Grant	1,226 29%

**CONSTABLE, PRECINCT 3 - REPUBLICAN**

Precincts reporting: 100%	
√ Jerry Raburn (I)	2,448 60%
Barry Mlnoff	1,627 40%

**CONSTABLE, PRECINCT 4 - REPUBLICAN**

Precincts reporting: 100%	
√ Tim Burch	4,446 69%
Sam Mooney	2,020 31%

**CONSTABLE, PRECINCT 5 - REPUBLICAN**

Precincts reporting: 100%	
R Dale Chegwiddden	2,361 44%
R Doug Boydston	2,277 42%
George Rlojas	729 14%

**CONSTABLE, PRECINCT 6 - REPUBLICAN**

Precincts reporting: 100%	
√ Ron Smith (I)	3,030 62%
Douglas Lee	1,968 38%

### ROCKWALL COUNTY

**COUNTY COMMISSIONER, PRECINCT 1 - REPUBLICAN**

Precincts reporting: 100%	
R William Cecil	1,047 39%
R Cliff Sevier	954 36%
Dick Demlen	659 25%

**JUSTICE OF THE PEACE, PRECINCT 4 - REPUBLICAN**

Precincts reporting: 100%	
R David Karr	595 48%
R Liana Bell Whitten	418 34%
James Branch	223 18%

**CONSTABLE, PRECINCT 1 - REPUBLICAN**

Precincts reporting: 100%	
√ John Benedetto	1,715 72%
Vince Zubras	680 28%

**CONSTABLE, PRECINCT 4 - REPUBLICAN**

Precincts reporting: 100%	
√ Randy Earl Parks (I)	894 75%
James Cookston	300 25%

**TARRANT COUNTY**

**153rd DISTRICT JUDGE - REPUBLICAN**

Precincts reporting: 100%	
R Susan McCoy	26,336 37%
R Tom Corbin	24,907 35%
Kevin Carey	19,053 27%

**COUNTY COMMISSIONER, PRECINCT 1 - DEMOCRAT**

Precincts reporting: 100%	
√ Roy Charles Brooks (I)	10,705 78%
Roy LaVerne Brooks	3,102 22%

No. 3

(a) An officer or employee of a state agency or political subdivision may not knowingly use or authorize the use of an internal mail system for the distribution of political advertising.

(b) Subsection (a) does not apply to:

(1) the use of an internal mail system to distribute political advertising that is delivered to the premises of a state agency or political subdivision through the United States Postal Service; or

(2) the use of an internal mail system by a state agency or municipality to distribute political advertising that is the subject of or related to an investigation, hearing, or other official proceeding of the agency or municipality.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d) In this section:

(1) "Internal mail system" means a system operated by a state agency or political subdivision to deliver written documents to officers or employees of the agency or subdivision.

(2) "State agency" means:

(A) a department, commission, board, office, or other agency that is in the legislative, executive, or judicial branch of state government;

(B) a university system or an institution of higher education as defined by Section 61.003, Education Code; or

(C) a river authority created under the constitution or a statute of this state.

#### **§ 255.004. True Source of Communication**

(a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person enters into a contract or other agreement to print, publish, or broadcast political advertising that purports to emanate from a source other than its true source.

(b) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person knowingly represents in a campaign communication that the communication emanates from a source other than its true source.

(c) An offense under this section is a Class A misdemeanor.

#### **§ 255.005. Misrepresentation of Identity**

(a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person misrepresents the person's identity or, if acting or purporting to act as an agent, misrepresents the identity of the agent's principal, in political advertising or a campaign communication.

(b) An offense under this section is a Class A misdemeanor.

**§ 255.006. Misleading Use of Office Title**

(a) A person commits an offense if the person knowingly enters into a contract or other agreement to print, publish, or broadcast political advertising with the intent to represent to an ordinary and prudent person that a candidate holds a public office that the candidate does not hold at the time the agreement is made.

(b) A person commits an offense if the person knowingly represents in a campaign communication that a candidate holds a public office that the candidate does not hold at the time the representation is made.

(c) For purposes of this section, a person represents that a candidate holds a public office that the candidate does not hold if:

(1) the candidate does not hold the office that the candidate seeks; and

(2) the political advertising or campaign communication states the public office sought but does not include the word "for" in a type size that is at least one-half the type size used for the name of the office to clarify that the candidate does not hold that office.

(d) A person other than an officeholder commits an offense if the person knowingly uses a representation of the state seal in political advertising.

**(e) An offense under this section is a Class A misdemeanor.**

**§ 255.007. Notice Requirement on Political Advertising Signs**

(a) The following notice must be written on each political advertising sign:

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY."

(b) A person commits an offense if the person:

(1) knowingly enters into a contract to print or make a political advertising sign that does not contain the notice required by Subsection (a); or

(2) instructs another person to place a political advertising sign that does not contain the notice required by Subsection (a).

(c) An offense under this section is a Class C misdemeanor.

(d) It is an exception to the application of Subsection (b) that the political advertising sign was printed or made before September 1, 1997, and complied with Subsection (a) as it existed immediately before that date.

(e) In this section, "political advertising sign" means a written form of political advertising designed to be seen from a road but does not include a bumper sticker.