

Hypothetical Advisory Opinion No. 86-7

BEFORE THE NEVADA COMMISSION ON ETHICS

The Commission on Ethics met to consider your third party request for an opinion. After hearing your testimony and reviewing the documentation you provided, the Commission finds and concludes as follows.

You were a candidate for reelection to the office of county commissioner. You were in fact reelected by the voters. Prior to the general election, a public officer who was not running for election distributed a letter to residents of the county making certain allegations about you as a county commissioner.

The letter which was distributed by the public officer was obviously an example of negative campaigning, the content of which may be libelous. However, even if these allegations by the public officer were false, it does not raise an ethical question pursuant to NRS 281.481, but instead deals with an issue of free speech regarding the election of another public officer.

COMMISSION ON ETHICS

By: Chairman