

Rapid Response Team

Arkansas Judicial Campaign Conduct & Education Committee, Inc.

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News release

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Judicial watch group finds campaign materials false, misleading

A nonpartisan group that monitors appellate court elections in Arkansas has issued a cease-and-desist letter to the Republican State Leadership Committee-Judicial Fairness Initiative, an organization with headquarters in Washington, D.C., because of what the team contends is false and misleading advertising that targets state Supreme Court Justice Courtney Goodson in her bid for re-election.

The Rapid Response Team of the Arkansas Judicial Campaign Conduct & Election Committee Inc., acting on a complaint from the Goodson campaign organization, conducted an investigation into allegations in a mailed flyer paid for by the Republican State Leadership Committee-Judicial Fairness Initiative. The organization shows on its mailed flyer that its headquarters are at 1201 F Street, NW, #675, Washington D.C. 20004.

Goodson is seeking re-election to a second 8-year term as position 3 justice on the state's highest court. In this run-off election, her opponent is attorney David Sterling, chief counsel for the Arkansas Department of Human Services. The mailed flyer contained material supporting David Sterling.

In 2016, Goodson ran for chief justice but lost to Circuit Judge John Dan Kemp. In May, 2018, Goodson was in a three-way race for supreme court justice with state Court of Appeals Judge Kenneth Hixson and David Sterling. In those elections, the Judicial Crisis Network, also an organization with headquarters in Washington, D.C., sponsored anti-Goodson campaign flyers nearly identical to the flyers mailed to Arkansas constituents by the Republican State Leadership Committee-Judicial Fairness Initiative in the current run-off election.

The RRT first issued a 5-page letter to the Republican State Leadership Committee-Judicial Fairness Initiative on Tuesday, giving the organization 48 hours to respond. That letter outlined the complaint, provided a summary of the evidence provided by the Goodson campaign to show the allegations are false and misleading, and gave the organization 48 hours to provide evidence

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supporting its claims. It also asked the Committee to voluntarily withdraw the advertisements and refrain from future advertisements consistent with the RRT's findings.

The complaint specified that the Republican State Leadership Committee-Judicial Fairness Initiative was sponsoring advertisements substantially the same as those sponsored by the Judicial Crisis Network in the previous elections. The current advertisement states that Goodson gets lavish trips paid for by trial lawyers and asks what those attorneys get from her. It further states that "Goodson turned to Arkansas taxpayers to support her lavish lifestyle by asking for an additional \$18,000 pay raise".

The RRT found substantial evidence refuting those allegations. On Thursday, the Republican State Leadership Committee-Judicial Fairness Initiative submitted a response alleging that the individual snippets in its mailed flyer were true or rhetorical. The RRT disagrees.

A "Cease-and-Desist Letter" was then issued on Friday, confirming the team's findings and demanding that the Republican State Leadership Committee-Judicial Fairness Initiative immediately stop all activities now and in the future that publicize these false and misleading statements.

The RRT made the following findings:

- "Justice Goodson did not request a pay raise. There is no evidence to support the statement that she did request a pay raise. Justice Goodson sat on the Supreme Court during the time the court voted to authorize Chief Justice Kemp to request a pay raise. The Supreme Court speaks with one voice -- that of its chief. It would be a violation of Justice Goodson's duty of confidentiality to reveal how she voted for a pay raise."

- "Justice Goodson did not hear cases that were filed by or on behalf of a donor. Because [she] recused from hearing those cases, donors did not receive benefits from [her]."

The letter also urged the Republican State Leadership Committee-Judicial Fairness Initiative to stop mailing the flyers and agree not to publish these statements further during this election cycle.

Copies of the letters were sent to the Sterling campaign, as well as the Republican State Leadership Committee-Judicial Fairness Initiative. See arkansasjudges.org. Rapid Response Team for copies of the referenced correspondence.

The Rapid Response Team is comprised of retired U.S. Bankruptcy Judge Audrey Evans, attorneys Danyelle Walker and Elizabeth Andreoli, all of Little Rock; and Dr. Hal Bass, professor emeritus of political science at Ouachita Baptist University.

Attachments:

- Request for Voluntary Withdrawal of Advertisement
- Republican State Leadership Committee-Judicial Fairness Initiative Response Letter

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- Cease-and-Desist Letter