

District 58 campaign charges dropped

By David Phelps
Staff Writer

Indictments alleging illegal campaign practices by state Sen. Eric Petty and Elsa Carpenter, his 1980 election opponent, have been dismissed in Hennepin County District Court.

In a pair of orders filed late Wednesday, two judges ruled that there were not sufficient grounds to charge Petty and Carpenter with making false campaign statements and improperly seeking voter support.

Judge Crane Winton, ruling in the Petty case, said a portion of the state law regulating election campaigns places an "impermissible restraint" on candidates because it does not distinguish between intentional and unintentional actions, and therefore is unconstitutional.

Judge Robert E. Bowen said there was insufficient evidence to charge Carpenter with violations of the state's Fair Campaign Practices Act.

He said that statements she made during the campaign were not defamatory and did not violate state law, and that a neighborhood party held on her behalf did not unnecessarily influence voters.

A Hennepin County grand jury indicted Petty and Carpenter last October, nearly one year after the election.

Petty said he was pleased that the charges against him and Carpenter were dropped. He called them "frivolous."

"It's a case of where the judicial system went haywire," he said.

Petty, a Minneapolis DFLer, defeated Carpenter, an Independent-Republican, by about 2,000 votes in a hotly contested 1980 campaign in District 58 in southwest Minneapolis.

During the election each candidate's campaign committee filed complaints about the other with the state

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Elsa Carpenter



Eric Petty

Campaign

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Ethical Practices Board and with the Hennepin County attorney's office. However, Petty and Carpenter said they did not intend to pursue the complaints after the election.

Both were indicted on Oct. 29. The grand jury issued two charges against Petty and three against Carpenter. One charge against Petty was a misdemeanor, the others gross misdemeanors.

Petty's indictment was based, in part, on a campaign statement suggesting that Carpenter urged voters to file for tax credits for campaign contributions for which they were not eligible. The charges against Carpenter included one that she falsely claimed that she would be the first woman from Minneapolis in the Senate when, in fact, one had been elected a year earlier.