

**COMPARISON #4: FITNESS TO SERVE**

*Pavlak of St. Paul vs. Jannotti of Philadelphia*

State Rep. Robert Pavlak, a St. Paul Republican, was removed from office in May 1979 because the House of Representatives decided his violation of the state campaign practices law was severe enough to nullify his election.

Here is what Pavlak did to get in such trouble: During the campaign, Pavlak attacked his opponent, DFLer Arnold Kempe, for his poor attendance record. Pavlak compiled statistics showing that Kempe had missed 329 of 1,798 roll-call votes during the 1977-78 legislative sessions. He supplied these statistics, which were accurate, to the St. Paul Pioneer Press and the paper decided to support Pavlak. But in its endorsement editorial, the newspaper bungled the statistics and stated that Kempe had voted only four times out of more than 300 opportunities. The mistake lay entirely with the newspaper.

A few days before the election, the Pavlak campaign reproduced and distributed copies of the editorial. That was it. He didn't make the mistake, but he distributed the editorial knowing that it contained the mistake. Pavlak edged Kempe by 321 votes.

Five months of court battles and legislative debate ensued, finally resulting in Pavlak's ejection from the House. It's true that the vote ejecting him was strictly along party lines, but it's also true that the state Supreme Court ruled on a 7-2 vote that Pavlak's misdeed constituted a "deliberate, serious and material" violation of the state campaign law.

In 1978, Harry P. Jannotti was the second most powerful member of the Philadelphia City Council. In 1979, Jannotti was videotaped while accepting a \$10,000 bribe from an Arab sheik, who turned out to be an FBI agent working on the Abscam investigation. In 1980, Jannotti was convicted of conspiracy and extortion. He has not been sentenced and is still a member of the Philadelphia City Council.

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A footnote to the comparison above: In 1979, Robert Pavlak tried to regain his House seat in the special election that was called to fill the vacancy created by his earlier ejection. He was defeated. It is impossible to say how much the "wrongdoing" associated with his name contributed to his defeat.

Another Philadelphia politician who was caught in the Abscam net was Democratic Congressman Ray Lederer. When he came up for re-election in 1980, he had been indicted and it was widely known that he, too, had been filmed taking a bribe from an FBI sheik. Lederer was re-elected. It is impossible to say how much the wrongdoing associated with his name contributed to his victory.