

ASSOCIATED STUDENTS JUDICIARY
California State College at Long Beach

COMPLAINT TO REQUEST FOR REVIEW

To: Associated Students Judiciary

From: Harry K. Polgar

Date: April 17, 1964

The undersigned does hereby charge that Patrick A. Coulter
did on the 10 day April 1964, violate Section 1A, paragraph 4a, 5b (m)
of the CSCLB elections code

Description of Charge: Patrick A. Coulter did on the above named day

IA 4c.

IA 2a b

erect a campaign poster on campus between LA-3 and LA-
which: 1. was deceitful to the voting students. 2. Was in
violation of Section 1A, paragraph 4a of the elections code in
that the measured $22\frac{1}{2} \times 30\frac{1}{2}$. 3. was in further violation
of section 1A, paragraph 4a in that handbills were attached
which extended the size of the posters. (See Back)

Recommendation for Judgment; The undersigned recommends to the Associated Judiciary
the following judgment: that a precedent be set as to

whether a candidate can mislead or deceive
the voting students. And that Patrick A. Coulter
be disqualified on the basis of this precedent
and the aforementioned violations.

The undersigned does hereby request the Associated Students Judiciary to consider the
above named charge and render judgment in his favor.

Harry Polgar
SIGNATURE

Exhibit A

4-17-61

The office of student affairs reviewed all campaign posters and approved them in their normal procedure of checking for vulgarity. At no time were any posters measured, and the office was not given any ^{specific} oral or written instructions as to elections code regulations by the CSLIB Elections Commission.

The above statement is true to the best of my knowledge

James A. Alban

OFFICE OF THE
ASSOCIATE DEAN OF STUDENT ACTIVITIES
BOARD OF STUDENT AFFAIRS
UNIVERSITY OF CALIFORNIA


Exhibit B

4-17-64

The decision of the CSCLB elections commission in the case of Harry K. Polgar vs. Patrick A. Coulter, delivered by me before a group of witnesses is as follows:

1. Inasmuch as there is nothing in the elections code specifically about "misleading posters", that part of the case is thrown out.

2. And inasmuch as the activities office was acting as an agent of the elections commission while approving these posters — they have to stand approved. ~~with the~~ ~~commission.~~


Elections Commission

Jm

ASSOCIATED STUDENTS JUDICIARY
California State College at Long Beach

SUMMARY REPORT

Case of: Harry K. Polgar vs Patrick A. Coulter

Date :
Charges:

* SEE COMPLAINT FORM

Decision: We find the defendant not guilty on count 1, 2, and 4.

We find the defendant guilty on count 3, because the attachment of hand bills to his posters did in fact make them longer than the maximum size specified in the Election Code.

Count 5 was dismissed, passed by unanimous vote.

The Judiciary fines Patrick A. Coulter One Dollar (\$1.00) and suspends the fine.

Kaelter)		Greer)	No
McFadden)	Yes	Metzger)	
Fehn)			

* SEE ATTACHED SHEET

Roll Vote:

Prepared by _____

James E. Greer Jr.
Presiding Justice

Harry K. Polgar vs Patrick A. Coulter
(Cont'd.)

DECISION: The A.S. Judiciary found the defendant not guilty on count:

1. Because the defendant did not violate any law of the A.S.; however, we censure the usage of the phrase "re-elect in this contest on the basis that it may be misleading.

2. Because the size of the posters were legal on the basis of measurements made by the Election Commission and so stipulated by their statement.

3. Because the additions to the posters of handbills made them part of the poster. Since it was these additions that made the posters oversize the additions can no longer be considered handbills.

Count 5 was dismissed because the defendant being individually responsible for these acts is not a violation of law. It is merely a statement on the part of the plaintiff.

Decision Written by,

James T. McFadden
Associate Justice
April 17, 1964

PALGAR vs. COULTER

ISSUES: 1. Deceit on a campaign poster

2. Oversized posters

3. Handbills were attached to the poster which extended the size of the posters.

4. The person is individually responsible for violations

DECISION: 1. ~~Nothing~~ Nothing in A.S. laws which state that deceit is unlawful

2. The posters were measured by the Election Commission and were legal

3. The handbills attached to the posters constituted an addition and therefore the posters were considered oversized.

4. A defendant being individually responsible for acts is not a violation of law.

Basis: Violation of Sec. 1A, paragraph 4A of the elections Code stipulating the size of pre-election posters.

PROPERTY OF
ASSOCIATED STUDENTS JUDICIARY
California State University, Long Beach

② size $22\frac{1}{4} \times 30\frac{1}{2}$ - ~~throw out - not guilty~~
~~on it~~

- ~~dismiss~~

- not guilty - on basis of
C Commission statement
of measurement

③ Handbill - guilty - did enlarge post beyond
regulated size

④ Handbills fixed to the ground - not guilty on
basis that handbills
were inherent to poster size
 \therefore not handbills

⑤ Individually responsible - not really a charge: dismissed

① legality of "re-lect" - was the word "re-lect" ^{deceiving}
- it is misleading - ^{not elected} by ASB
was it an intent to deceive

-
was illegal act committed?

Decision:

Not guilty on the grounds that O.L. did not
violate any law of the A.S. - however,
we censure the ~~use~~ usage of the
phrase "re-lect" in this context on
the basis that it may ~~not~~ be misleading.

Judiciary
Kaalter

Judiciary fine PC in the amt of \$1. Sentence suspended
Kaalter, McFadden, John - YES GREER, Metzger - NO