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Up for grabs . . .



Photo by Steve Dykes

Thursday's mild weather provided ample opportunity for local basketball players to get in a few more shots on the outdoor courts before winter weather arrives.

ASUO court punishes two IFC members

By PAUL TELLES
Of the Emerald

Although the ASUO Election Court agreed with the plaintiffs that the Election Board was "seriously remiss in providing adequate notice of the hearing to the complainants," the court found only two of the eight defendants guilty of elections violations.

In written rulings released Thursday, the court said plaintiff Bruce Mills was correct in complaining he wasn't given enough time to prepare his case. "The Election Board shall, before the next election, promulgate procedures to ensure timely Election Court hearings and adequate notice to litigants," the court ruled.

Mills and other plaintiffs also argued that too much time had elapsed between the election and the hearings. They said the court would be unable to take meaningful action because the Incidental Fee Committee already had begun work when the hearing was convened. The election was held Oct. 29 and 30.

The three law students who acted as judges in Sunday night's hearings ruled that Kathy Stebner and Ann Alexander, recently elected members of the IFC, violated an election rule that says candidates are responsible for all activities on their behalf.

Former IFC member Del Seitzinger charged Stebner and Alexander with hanging campaign posters on light poles near Gilbert Hall. Election rules forbid candidates from putting campaign materials on some public property.

Seitzinger also charged that Stebner and Alexander violated an election rule forbidding campaigning "within eyeshot or earshot of the polling places" when their posters were hung on a light pole facing the Gilbert Hall poll.

As a penalty for the violation, the court ordered Stebner and Alexander to spend three hours removing campaign posters from all areas of the campus.

However, in finding the defendants not guilty on this charge, the court agreed with their argument that the posters were distributed before the polling places were arranged. Consequently, the court ruled that it is the responsibility of the Election Board to remove all campaign material from the vicinity of the polling places.

The court found the other five IFC members not guilty of charges of "campaigning within eyeshot or earshot of the polling place."

In two separate cases, Mills, a senior majoring in rhetoric communication, and Donovan Guy, who finished 11th out of the 12 candidates in the election, charged that IFC chairer Jon Neiderbach and four other committee members attempted to influence voters by having workers distribute campaign literature at the law school polling place.

Besides Neiderbach, the defendants were Richard Sontag, Jim Edmunson, Julie Bell and Susan Harris. Only Harris isn't a law student.

The court ruled Mills had failed to produce evidence that the defendants were aware of the alleged violations.

Guy's case was dismissed for "failure to state a cause for action." Although the court said there is a precedent for hearing poorly argued complaints, it ruled that Guy had "tested the court beyond reasonable limits" when he failed to keep to the merits of the case while presenting his argument.

Guy defaulted his case against Stebner when he left the courtroom before the arguments were heard.

The court also found that closing the 13th Avenue and University Street poll did not influence the outcome of the race for the Architecture and Allied Arts seat on the Student University Affairs Board.

Steve Keller, who lost the election to Michael Prothe, charged the polling place ran out of ballots before it was scheduled to close and consequently some students were unable to vote.

The Election Court judges were Harry Grant, Carolyn Graff and Steve Kaiser.