

# Court challenge to election takes shape

By JOHN McNICHOLAS

Sentinel Staff Writer

SANTA CRUZ — Testimony by UCSC administrators continued this morning in the second day of the court challenge to the Nov. 8 City Council election.

Attorney Tim Morgan, representing the 22 voters who filed the suit against former Mayor Bruce Van Allen and newly elected Council member Jane Weed, presented evidence again that more than 400 voters in the four UCSC precincts did not live there.

If the challenge is upheld, Weed could lose her council seat, and the 4-3 progressive majority would swing to the moderates and conservatives.

Defense attorney Mitchell Page contends that the challenged voters were within their legal rights.

An administrator at Stevenson College testified this morning that six of the 72 challenged voters who listed

Stevensen College as their residence were not even registered as students last fall.

Wednesday afternoon, Morgan called to the stand four UCSC officials who testified that most of the 472 voters whose ballots are disputed did not have valid housing contracts with the university last November.

But questioning by John Bohrer, working with Morgan on the case, revealed 14 voters on the list who were in fact living on campus. Morgan said this morning he expects "three or four" more such voters will be found.

Bursars for Crown, Porter and Cowell colleges all testified it was unlikely students were staying in the dorms or using the facilities at their colleges without their knowledge.

But Page sought in his cross examination to show that although bursars might know from their housing lists what students do live on campus, their testimony is not enough to establish who does not live there — or where those not on lists do live.

The bursars all conceded, under cross examination, that it was conceivable that students were "squatting" in

the dorms. But they said they knew of none, and were confident their reporting systems would turn up any such squatters. They also conceded they either knew of or had heard of people living in the woods on university property, and people living in what students call "College Nine" — cars and vans parked in the university's remote parking lots.

Herman Blake, provost of Oakes College, was the only official to testify Wednesday that it would be easy for non-paying students to live in his college's dorms, and that he was sure students were doing just that.

In fact, he told the court he had encouraged and given tacit approval for one student to do so.

His college focuses on minority and underprivileged students, he said, and students' financial situations can be extremely tight. In the case of one man who ran out of money for living expenses, he testified he had told him he didn't want to know where he was living. He said he suspected at least five more of doing the same thing, and said he had no way of knowing exactly how many there are.