

Santa Paula, Calif 92106  
January, 1961

Mr. Glywn Chase, Foreman  
Grand Jury  
Foothill Road  
Ojai, California

Dear Mr. Chase:

In submitting this report to the new grand jury it is, indeed an unhappy and unpleasant task for me. I wish the situation had never arisen or that the chore of relating it might have fallen to someone else; however, such is not the case. No intention to convict or indict anyone is intended. Election laws exist and my intention is that these laws be made perfectly clear to those who intend to challenge or pass watch in public polling places, that they not become so overenthusiastic as to flagrantly violate these election laws.

Along with a great many other people in this community I am greatly concerned over the organized actions taken by a political party on election day, November 8, 1960, in the manner in which they challenged the right to vote of a select group of Spanish speaking people. There is some question as to how the challenging was carried out. So much complaint has been voiced and such bitterness exists among the Spanish people that it is my feeling we simply must work together to clear this situation before another election. We do not want Santa Paula to be the only city of any size in the county to again have this stigma attached to it. I am concerned, as are many, about the relationship between the Spanish speaking people and the rest of the community that was dealt a severe blow here by a few people. These Spanish speaking people were humiliated and embarrassed and I fully anticipate trouble at the polls at the next election unless something is done.

First, let me bring to your attention a case of conspicuous violation of election laws which occurred at precinct five in Santa Paula on election day. Mrs. Walter (Garey) Phelps of 1167 Say Road, Santa Paula, (JAckson 5-2761) made it clear to six people early on election day at precinct five that the court house (presumably the county clerk's office) had sent her to this precinct (Steve Love Plymouth Dealer showroom) specifically as an official poll watcher. Mrs. Phelps is a highly partisan, extremely active political worker, having been in charge of precinct work at different times for her party. She is co-chairman this year in this city in this same capacity. Let me set forth what took place on election day in precinct five. These facts have been most carefully gathered and verified. I hope you will check them.

Precinct Five, Mrs. Phelps. Five of the women serving on the election board arrived before seven A.M. in time to hear Mrs. Phelps, upon being asked who she was, state that she was there to act as official poll watcher and that the court house had sent her. The women serving then assumed that she was an official acting in an official capacity and sent by the county clerk's office. Not until late in the afternoon, after many violations had taken place, did they begin to suspect she might be a partisan worker. She occasionally went outside



to confer with other persons who came to speak with her. Several times during the day Mrs. Phelps sat directly at the table with the election board officials. Five of the women and one man standing there will verify this. Mrs. Phelps at times during the day ACTUALLY TOOK THE BALLOTS FROM VOTERS AND PLACED THEM IN THE BALLOT BOX. She also offered to fill in for anyone who wanted to take a break or should they go to lunch or dinner.

AT ONE POINT DURING THE DAY SHE WENT INTO THE VOTING BOOTH WITH A MR. RALPH SELLAR, 117-F NO. OAK STREET, SANTA PAULA, AND HELPED HIM VOTE. She remarked after Mr. Sellar left that he didn't know what he wanted to do in the way of voting, he wanted to vote for everyone and she explained to him he couldn't do that, that he would have to decide on one candidate and that he finally voted for Kennedy. Thus Mr. Sellar was not privileged with a secret ballot. At another point Mrs. Phelps said she could arrange to have a polling place put in Mrs. Reyes' home (Mrs. Reyes was the inspector and had expressed the desire to have a polling place in her new home someday). Later she asked one of the other board officials, Mrs. Duran, if she would like to have Mrs. Reyes' job as inspector if Mrs. Reyes should get the polling place in her house, and that she could arrange it but for her not to mention it to the other ladies. She stated the inspector's job paid more than the one Mrs. Duran then held.

It took a great deal of time for the first voter in precinct five to finally cast a ballot. This Spanish gentleman was challenged by Mrs. Phelps. He was wearing extremely thick lensed glasses and because he faltered in nervousness and surprise on being challenged MRS. PHELPS DISQUALIFIED HIM. However, the man protested and when he had calmed down he was able to read portions of the California constitution and Mrs. Reyes qualified him to vote, and he voted.

One of the most interesting points brought out about Mrs. Phelps' actions on this day was THAT OCCASIONALLY WHEN SHE CHALLENGED ANYONE TO READ SHE TOOK THEM ACROSS THE AUTOMOBILE SHOWROOM TO STAND IN FRONT OF A LARGE WINDOW ASKING THEM TO READ AND THEN REPORTED TO THE BOARD WHETHER OR NOT SHE THOUGHT THEM QUALIFIED. The Board, naturally, could not hear what was going on from that distance. All of the women on the board verified this. All of the women verified that she handled the ballots. Five saw her take Mr. Sellar into the voting booth.

After hearing complaints about challenging in precinct five Mr. Henry Vola Jr., a member of last year's grand jury, came in and inquired who Mrs. Phelps was. Mrs. Lydia Torres, a board member, reported that Mrs. Phelps answered him as follows: Mr. Vola "Who is in charge here?" Mrs. Phelps: "I am. I was sent by the court house and no one is going to scare me or bluff me." Another board member, Mrs. Coronado, heard Mrs. Phelps offer to make arrangements for Mrs. Reyes' home to be a future polling place. Mrs. Florence Soles stated that Mrs. Phelps had a book which she placed on the table and read from and that she was just as close to the table as she, Mrs. Soles, a board member was. Also, Mrs. Soles was one of the persons whose ballot was taken by Mrs. Phelps and placed in the box. Mrs. Soles said she heard Mrs. Phelps say to Mr. Vola, "I know my rights".



Surely it is safe to assume that the actions taken by Mrs. Phelps violated the election laws outrageously whether she was sent by the county clerk's office or not. I should like to set down here the members of the election board at precinct five in the event anyone would like to question them:

Mrs. Joe Duran  
309 Santa Paula St.  
Jackson 5-3065

Miss Stella Lopez  
1112 E. Santa Barbara St.  
Jackson 5-2466

Mrs. Manuel Reyes  
126 S. Olive St.  
Jackson 5-7057

Mrs. Angel Torres  
1110 E. Santa Barbara St.  
Jackson 5-6280

Mrs. Leo Coronado  
135 S. 12th St.  
Jackson 5-5281

Mrs. M. Solon  
1170 N. Oak, Apt. 3  
Jackson 5-5231

Continuing with other challenging done in Santa Paula.

Barbara Webster School. At this location Mrs. Owen Bird, 937 Greenwood Dr., (Jackson 5-3055) was challenging. She sat directly at the table with the board and also offered to help them if any of them wanted to leave temporarily. She stated she was working on behalf of her party and for its welfare. At the same location but a different board in a different room a Mrs. Mc Cann (corner Pleasant & 7th Sts., Anlauf Apts.) also challenged. She sat directly at the table with the election officials. This report was given by Mrs. Mary Eastburn, 1242 Richmond Rd., (Jackson 5-4171). Also, by Mrs. Annie Hernandez, 444 N. 13th St., (Jackson 5-4179).

Assembly of God Church. Here the party workers were not challenging but were checking the address of each Democrat as they registered. Four people were operating at this location. From opening until noon Dr. and Mrs. H. I. Q. Brown, 601 Teague Dr., (Jackson 5-5704) worked. From noon until 7 P.M. Mrs. Ralph Crawford, 1146 Say St. (Jackson 5-3923) and Mr. B. L. Hawley, Poothill Rd., Saticoy (Mitchell 7-1329) acted in this capacity. All, with the exception of Dr. Brown, who sat a foot and a half to two feet away, sat directly at the table with the election officials the entire time. This was reported to me by Mrs. Robert Shaughnessy of 603 N. 6th St., (Jackson 5-4342). She stated it certainly had made a mess of things.

East School. At East School Mr. John Gooding, Gooding Ranch, (Jackson 5-4131) challenged. However, he sat completely clear of the table, the room being small and the table crowded with election officials. I know of no objection to his being there.

It has been reported to me that there was challenging in Simi and Saticoy; however, since I made no specific inquiries I will not set down information given me.

Surely, now that these facts have been made known to you it is to be hoped these people will be notified in some way that such actions violate election laws in polling places. In Mrs. Phelps' case I would think much stronger words could be used.

At the Republican luncheon held at the Glen Tavern Hotel, Santa Paula, on December 10, 1960, it was announced they intend putting one of their people in every polling place in the state. Should the Democrats counteract by putting one of their people in every polling place it stands



to reason chaos and confusion and ill will can only be the outcome. The voting process will be slowed down considerably. Several of the board members who spoke with me said they had just about decided not to serve again due to unpleasantness and nervous tension. From many conversations and remarks I fully anticipate trouble in this city at the next election. Families of Spanish descent will go in a body to the polls protesting one another. Young Spanish men are going to insist they be challenged to read just to slow things down. Then there are those who cannot wait to make trouble should challengers appear again. I don't want our city to have this type of notoriety. We have always voted peacefully before without open warfare and it is hoped this will be the case in the future.

As to the registrars who registered these people who were challenged--some voters were registered several years ago. One was registered by Fred Ireland, Supervisor 4th District. Also, our respected city treasurer, a Republican, registered one. A Republican business man, Herschel Hopkins registered one. Along with these were several Democrats and one assistant to the city clerk in city hall.

It is possible that the civil rights of certain individuals were violated; therefore, a copy of this report is being sent to the Federal Bureau of Investigation. If a concerted effort is made by all surely this type of thing need not occur again in our city. May I thank you for your help. I am grateful for your interest.

Yours very truly,

(Mrs) Jane Malm  
311 Teague Drive (Jackson 5-5325)

cc: Attorney General, Stanley Noah  
Governor Edmund G. Brown  
Joe Paul Jr., Star-Free Press  
Mrs. Paul Crawford, League of Women Voters, 245 stadium  
Wally Smith, Santa Paula Daily Chronicle  
Mr. Roy Gustavson, District Attorney  
Senator James McBride  
Assemblyman Rex Cunningham  
Federal Bureau of Investigation

Report to the Grand Jury on challenging of voters in Santa Paula,  
November 8, 1900.

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The facts stated herein concerning that portion of the challenging I saw  
and that pertained to my report are true and accurate. I have read the  
report and have placed my signature below signifying my willingness to  
have my testimony used:

Mrs. Dora Duran	(Signed)
Mrs. Lydia Torres	(Signed)
Miss Stella Lopez	(Signed)
Mrs. Dora Coronado	(Signed)
Mrs. Ann Reyes	(Signed)
Mrs. Florence Solos	(Signed)
Mrs. Elisabeth Shaugmies	(Signed)
Mrs. Mary Eastburn	(Signed)
Mrs. Annie Hernandez	(Signed)



These are additional facts sent to Bruce Thompson and the FBI--the FBI said they would like to have them when I telephoned their office in Los Angeles. Incidentally, the election code book for 1960 states on page 292, section 5720, "Only a member of the precinct board may receive from any voter a ballot prepared by him.....". The next section, 5721 states "After assisting a voter no person shall divulge any information regarding the marking of the ballot". Page 435, section 11680 states, "Every person is guilty of a felony, and on conviction shall be punished by imprisonment in the State prison for not less than two nor more than seven years who at any election: a) Without first having been appointed and qualified, acts as an election officer. b) Not being an election officer, performs or discharges any of the duties of an election officer in regard to the handling counting or canvassing of any ballots. Mrs. Phelps committed two felonies and one misdemeanor. Bruce has acknowledged she broke two laws, the one regarding the ballots and the other divulging how Mr. Sellar voted. It seems to be clear she also broke another.

Two of the women on the board at precinct 5 had never worked before. Two had worked only in the primaries.

Two of the women, Mrs. Duran and Miss Lopez recall Mrs. Phelps stating how Mr. Sellar voted (for Kennedy). Bob Hamm also told me over the telephone that Mrs. Phelps had done this.

Bob Hamm called only three of the women after the election and the information he got was only general, i.e. Mrs. Phelps had sat at the table, Mrs. Phelps said they sometimes spoke Spanish, and that Mrs. Phelps had not been unpleasant.

Three of the women, Mrs. Reyes, Mrs. Duran and Mrs. Soles remembered Mrs. Phelps stating that they were doing what she was doing all over, that is, the court house had sent other officials to other precincts to watch over things. The women thought other Santa Paula precincts besides theirs had official poll watchers sent by the county clerk's office.

Muriel Wright telephoned precinct 5 on election day to ask if Mrs. Phelps was being a bother. She named her by her proper name. How did she know she was there?

Bob Hamm told Henry Pala last year when this all came up that he and Mrs. Phelps were close personal friends. Henry will testify if asked.

Mrs. Owen Bird, challenging at Barbara Webster School, conducted the reading tests instead of letting the board do it. The inspector there was a Republican.

Mrs. Phelps took my telephone call to precinct 5 on election day when I asked for the head of the board. I had a ruling from Stanley Mosk's office just received that I wanted to give them. She did not identify herself, she did not give the message to the board, she told me twice (between 11 and 12 noon) that there was no challenging going on there at all when I asked about it. The fact was she challenged the first voter at 7 AM. She told the board the call had been for Mrs. Reyes but she had handled it for her. Two women will recall enough facts to verify this, also the man at Steve Love's would probably remember my asking for the head of the board.