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COMPLAINT
OF
VIOLATIONS
OF
CODE OF FAIR ELECTION PRACTICES

H. R. Haldeman
Campaign Manager, Nixon for Governor
October 31, 1962

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty and fair play which every candidate for public office in the United States has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammled choice and the will of the people may be fully and clearly expressed on the issues before the Country.

THEREFORE:

I SHALL CONDUCT my campaign in the best American tradition, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponent and his party which merit such criticism.

I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I SHALL CONDEMN the use of personal vilification, character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his personal or family life.

I SHALL CONDEMN the use of campaign material of any sort which misrepresents, distorts, or otherwise falsifies the facts regarding any candidate, as well as the use of malicious or unfounded accusations against any candidate which aim at creating or exploiting doubts, without justification, as to his loyalty and patriotism.

I SHALL CONDEMN any appeal to prejudice based on race, creed, or national origin.

I SHALL CONDEMN any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections or which hampers or prevents the full and free expression of the will of the voters.

I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn.

I, the undersigned, candidate for election to public office in the United States of America, hereby endorse, subscribe to, and solemnly pledge myself to conduct my campaigns in accordance with the above principles and practices, so help me God.

DATE

/s/ Edmund G. (Pat) Brown
Signature

COMPLAINT OF VIOLATIONS OF CODE OF FAIR CAMPAIGN
PRACTICES

As campaign manager for Richard Nixon, I vigorously protest the campaign practices of Edmund Brown and his publicists, which are violations of the Code of Fair Campaign Practices which Mr. Brown voluntarily signed. The instances of deliberate falsehood and distortion we herewith present for your attention are not isolated cases of "honest mistake". Specifically, the Code of Fair Campaign Practices has been violated by Mr. Brown, as follows:

(1) A violation of the third, sixth and seventh principles:

Serious distortions of fact are contained in a current radio commercial for Mr. Brown. A copy of the text is attached (Exhibit "A") and should be considered in connection with this complaint.

Specifically the text falsely implies that both publications mentioned are attributable to the Nixon campaign.

The pamphlet "California Dynasty of Communism" by Karl Prussian, has no connection with the Nixon campaign and has been condemned and repudiated by Mr. Nixon. Any innuendo to the contrary is false.

The pictures contained in the Anti-CDC pamphlet issued by our campaign are not "faked". They are pictures of Mr. Brown that are completely unretouched and unaltered. It is flagrantly improper to call these pictures "forgery", as the commercial does.

The pamphlet contains pictures of Mr. Brown used illustratively to show his long-time applause of the policies of the C.D.C. As an illustration it is not false, fake, unreal, a forgery or deliberately doctored. The radio commercial should be severely censured as a clear violation of the principles of your Code.

(2) A violation of the fourth principle:

On October 12, 1962, in Salinas over KSBW-TV (and on subsequent occasions, we believe) Edmund Brown himself narrated a film showing the "accomplishments of his administration." Among the false claims by Mr. Brown were:

(a) That a senior citizens' building shown and said to be in Seaside (it was actually in Pacific Grove) was attributable to Brown's efforts. According to State Senator Fred Farr (D-Carmel), Brown's administration had nothing whatsoever to do with it.

(b) That the Monterey Research Park was a result of his administration's efforts. This statement is absolutely false. This project is entirely a result of local cooperation between The City of Monterey and Del Monte Properties Company. Brown's administration had nothing whatsoever to do with it.

(3) A violation of the fourth, sixth and seventh principles:

One "John J. Keller" signed a letter dated September 25, 1962, from a purported "Republican Committee to Re-elect Governor Brown", 140 Montgomery Street, San Francisco 4, California. Mr. Keller was a registered Democrat and voted as such in the primary election in June of 1962.

(4) A violation of the fourth, fifth and seventh principles:

The Keller letter was sent to citizens of Polish ancestry. It enclosed a smear sheet headed, "Nixon has supported discriminatory immigration laws." It purports to cite Mr. Nixon's legislative record, but it does so falsely, in a manner calculated to appeal to prejudice based on national origin. This sheet's description of the effect of a recomittal to committee and the effect of override of a Truman veto on immigrants is grossly misleading and untrue.

(MORE)

(5) A violation of the fourth principle

In a television commercial being run throughout the state, Mr. Brown is depicted standing in front of the Mulholland Dam Spillway while the oral text contends that this and other structures were the result of Mr. Brown's efforts. The statement given, and the total implication of the commercial, are false. The structure involved was built when Mr. Brown was eight years old.

*Owens
River Adequacy
Cascade*

(6) A violation of the fourth and seventh principles:

Edmund Brown, his Vice-Chairman George McLain, and his publicists have repeatedly published false and distorted material alleging that Mr. Nixon advocates a reduction of pensions and other benefits for the elderly. Attached as Exhibit "B" are samples of this material. Mr. Nixon has advocated removing the unqualified and in-eligible from state welfare rolls. He has never made any statements to support the misrepresentations of Mr. McLain, Mr. Brown and their people concerning this subject.

Similar, more detailed statements of this kind were made by Mr. McLain at Fresno on Saturday, October 27 before an audience. In substance he said that, if elected, Mr. Nixon would take from the elderly "all your benefits". Mr. McLain then took a collection of \$1,100 from the pensioners present, for Mr. Brown's benefit.

Mr. Brown made such statements before the Baptist Ministers' Alliance in Los Angeles, where he also grossly misrepresented Mr. Nixon's position regarding fair employment practices.

(7) A violation of the fourth principle:

Mr. Brown, in recorded television commercials, has falsely inferred by the use of background photographs and spoken text that he and his administration are responsible for the establishment of free education in the State of California. This false contention would be laughable if it were not seriously repeatedly being made on a state-wide basis at present.

(8) A violation of the third, fourth and seventh principles:

While Mr. Brown has not personally had the courage to charge Mr. Nixon with wrong-doing in this connection, he has encouraged (and failed to repudiate) the circulation of defamatory and libelous copy alleging that Mr. Nixon or his family acted improperly in connection with his family's financial misfortune in 1956.

Copies of some of this material are attached hereto as Exhibit "C".

This is precisely the kind of political conduct condemned by Mr. Brown himself when he signed The Code of Fair Campaign Practices.

The innuendo that, as Vice President, Mr. Nixon could have, or did, favor an airline or contractor is absolutely false. It is unsupported by any evidence because it is untrue. Mr. Brown's publicists and workers do not offer any evidence; there is none to give because the contemptible slur is a lie.

When given an opportunity to make the charge and prove it, on state-wide television, Mr. Brown reddened and denied that he made the charge. Yet he has violated the Code by failing to clearly repudiate "the use of personal vilification,, character defamation, whispering campaigns, libel, slander or scurrilous attacks on (the) candidate or his personal or family life" by Brown's political associates.

(9) A violation of the seventh principle:

Mr. Nixon has vigorously repudiated a pamphlet by Karl Prussion entitled "California Dynasty of Communism". Yet Democratic officials

(MORE)

principally Mr. Brown and Eugene Wyman, Democratic State Chairman, have persistently attacked this book while criticizing other pamphlets which are actually campaign material of the Nixon organization and which are responsibly critical of Mr. Brown's position on issues. This is a devious, brazen and irresponsible effort to associate Mr. Nixon with the Prussion pamphlet for which no one can or will claim he has a bit of responsibility.

Of some interest is the fact that Karl Prussion, the pamphlet's author, stated in a press conference he had received no orders from Republican organizations, but that the California Democratic Council had ordered 1,000 copies.

(10) A violation of the fourth principle:

Upon his return to the State last weekend, Mr. Brown issued a statement to the press. In one paragraph he complained that while his back was turned "tens of thousands" of pieces of campaign literature were mailed "by my opposition" accusing Brown of being soft on Communism.

(The only such accusation of this kind being made is found in the Prussion Book, "California Dynasty of Communism", which has no connection with the Nixon campaign whatsoever.)

In the next breath, Mr. Brown criticized Mr. Nixon, his opponent, for making a statement on Cuba without the permission of the President.

The innuendo is that the Nixon campaign issued the Prussion book. It is clever but a demonstrably false innuendo. It deserves condemnation under The Code of Fair Practice.

(11) A violation of the fourth principle:

Eugene Wyman, State Chairman of the Democratic Central Committee, falsely charged on KTTV-TV Los Angeles that Mr. Nixon had once labeled Harry Truman "a traitor". Mr. Wyman was speaking on behalf of Mr. Brown's candidacy. Mr. Brown has failed to correct or repudiate this misrepresentation.

(12) A violation of the first, third and fourth principles:

Mr. Brown has stated repeatedly, as have his campaign associates, that Mr. Nixon has accused him of being "soft on communism". This is a lie. Mr. Nixon has stated clearly, emphatically and repeatedly that he has no quarrel with Brown's loyalty or his opposition to Communism. This difference is over programs to combat communism and their appraisal of the severity of the communist menace. Mr. Brown's misrepresentation of Mr. Nixon's position is a flagrant violation of Paragraphs 1, 3 and 4 of the solemn pledge which Brown signed.

We respectfully submit that your Code, voluntarily adopted by Mr. Brown, should be adhered to by all candidates. Only by your censure of these flagrant violations by Mr. Brown and his publicists will the Code have the meaning and value it deserves.

/s/ H. R. Haldeman

H. R. HALDEMAN