

Preface:

(1) All bylaw references will be coded Title (if applicable) ##, Article ##, Section ##, Clause ##, part (if applicable) ##, as “T##A##S##C##P##.” For example, Article 1, Section 1, Clause 1, will be coded as “A1S1C1” for reference;

(2) Any referenced website links may or may not be active by the time future individuals review this write-up.

Complaint #21-21

Petitioner(s): Maryam Alghafir (further referred to as “Maryam”, she/her),

Representing N/A

Respondent(s): RiseUp,

Representing RiseUp

Allegations (filed February 27th, 2021 at 10:12PM):

(1) Rise Up violated A4S4C10 of the Election Code:

-----, -----, -----, -----, -----, -----
No candidate or campaign staff member may make threats towards any individual or group. This includes but is not limited to: physical threats, emotional threats, social threats, or any threat which might prove distressful to an individual or group’s physical, emotional, and/or financial well-being.

(2) Rise Up violated A3S3C1 of the Election Code:

All candidates are held accountable to the provisions of this code, Student Government Association Constitution and Bylaws and all other University policies. All candidates, by way of registering and running for office, are agreeing to abide by potential sanctions and policies the Attorney General, Election Commission, Supreme Court, and/or designated lower court deem appropriate based on their interpretation of the Student Code of Conduct and University Policy. No sanction will extend beyond the context of an individual or party’s involvement with Student Government and/or Student Government practice.

(3) Rise Up violated A3S3C2 of the Election Code:

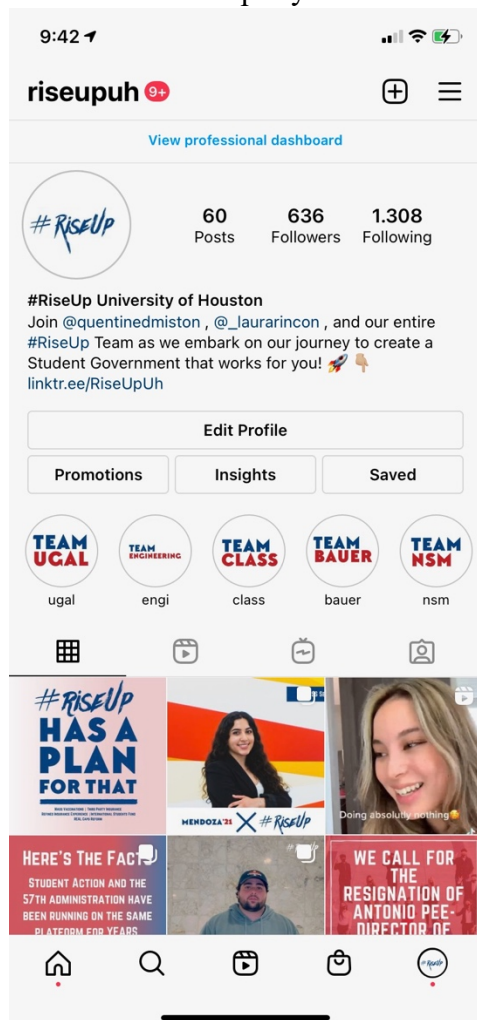
Candidates will be held responsible for any activities by their supporters that are in violation of the provisions of this code if evidence supports that a candidate had actual or constructive knowledge of illicit activities and/or authorized or acquiesced in such activities.

(4) Rise Up violate A4S2C13 of the Election Code:

Campaigners cannot offer anything of value to a voter on the condition the voter casts a vote for said campaigner or said campaigner's team. Anything given to voters by candidates must be unconditional in nature


Defense (filed February 28th, 2021 at 9:59AM):

"I'd like to start off by saying that the #RiseUp party has absolutely no affiliation with either of these accounts. The "uh_sga_riseup_" account was clearly made by someone who is not associated with our party. Why would we post on an account with 0 followers and follow 0 people? That would not benefit us in the slightest when it comes to campaigning. Someone is obviously trying to frame us. In regards to the Twitter DM's, I believe that those were sent to a classmate of mine. I called him after I saw the tweets he posted that day and that is when I, or anyone on our team, became aware of those threats. He assured me that he did not think it was anyone from our party. So I find it strange that now all of a sudden these came from people in our party when the person who it was sent to told me HIMSELF that he did not believe they came from us. Regardless, there is absolutely no proof that either of these account have any connection to our party."



-Q/RiseUp

Course of Investigation: I examined the Petitioner's evidence and reached out for a defense statement. I analyzed the respondent's defense statement as well. I went through the Election Code and identified if a violation was present. After this I had enough to come to a decision.

<  uh_sga_riseup_ ⓘ

instagram

0 followers · 0 posts

You don't follow each other on Instagram


New Instagram account

[View Profile](#)

3:46 PM

Images sent in
message
requests are
covered.

Tap to see
blurred image

 Really would reconsider your
comment on the UH Riseup
Instagram about Quentin

Accept message request from
uh_sga_riseup_?



Joaquin Slush

hey! i saw your tweet, i would
suggest taking them down
im p sure that there has been
a civil lawsuit filed regarding
those posts already

i think that its not worth
going to court over

but you are your own person,
just wanted to give a fair
warning



Thursday 6:52 PM



Decision (February 28th, 2021 at 4:00PM): Maryam's complaint LACKS merit and this IS NOT a violation of the Election Code.

Sanction: N/A

Further Analysis: I ultimately have no way of connecting both of these social media accounts to the RiseUp Party. The SGA Rise Up Instagram seems to be fabricated and satirical, and the Joaquin Slush Instagram cannot be tied back to an individual in the RiseUp party, therefore there is not any action to be taken by the Office of the Attorney General that is within our jurisdiction. The aforementioned individual is also nowhere to be found on the internet.

Conclusion: I discourage any and all activity of impersonation and social media identity theft. If this instance is indeed one of impersonation, I advise them to remove the account and go about the election in a professional and equitable way. If Joaquin Slush is an individual, I suggest that they not spread false information regarding a potential lawsuit/court case that is no business of the opposing party or the general public.

Delivered to the Chief Election Commissioner: February 28th, 2021 at 4:45PM