#### **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 #21-23

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

Representing N/A

Respondent(s): Rise Up Supporter,

Representing Rise Up

#### Allegations (filed February 28<sup>th</sup>, 2021 at 12:40PM):

(1) Rise Up and their supporter violated A4S4C5 of the Election Code:

"No candidate or campaign staff member may offer anything of value nor threaten or promise any particular action to a member of the Election Commission, or a member of the Justice Department with the intention of incentivizing or causing undue influence in the election process. The Election Commission and Attorney General reserves the right to file a complaint against any individual who violates this clause.."

(2) Rise Up and their supporter 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."

(3) Rise Up and their supporter 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." (4) Rise Up and their supporter 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."

#### **Defense:**

--Not filed

**Course of Investigation:** I examined the Petitioner's evidence and reached out for a defense statement. A defense statement was not submitted by the deadline. I went through the Election Code and identified if a violation was present. After this I had enough to come to a decision.

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**Decision (March 1<sup>st</sup>, 2021 at 12:20PM):** The petitioner's complaint HAS merit and this IS a violation of the election code.

**Sanction:** The Rise Up campaign will be assessed a Class A violation. The mandatory sanction is disqualification, and the Rise up Campaign has until 4:45PM, March 1<sup>st</sup>, 2021 to submit an appeal or this decision will be deemed final.

Further Analysis: We must establish a few pieces of fact. (1) Ilanagelman or "Ilan" is "Joaquin

Slush." (2) Ilan is a supporter of RiseUp, and, in fact, one of the most vocal supporters of RiseUp. (3) RiseUp is aware of his support.

The screenshots attached at the end will serve as the investigative materials for these facts.

The issues in this case from that point are: (1) Did Ilan threaten someone as defined by the Election Code? And, (2) ought RiseUp be accountable to the actions of their supporter Ilan given the terms in the Election Code?

Ilan did threaten Student Action Party members with litigation, which is a threat to their emotional and financial well-being. Lawsuits, not matter how frivolous, are emotionally and financially draining. It is not appropriate to allude to a lawsuit in exchange for taking tweets down referencing RiseUp's candidates' offensive tweets. Directly, RiseUp's supporter said "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." The individual goes on to say that they are just giving the other individual a "fair warning."

The Office of Attorney General will not play this game of pretend. No, Ilan was not giving "fair warning." Ilan was attempting to silence a student at this University from posting public information. Information public only because of the RiseUp candidate releasing it in the form of their twitter account.

Now, should RiseUp be held accountable for this threat? The Office of the Attorney General firmly believes they should. The Election Code sets a simple criterion for whether or not an individual should be held accountable for the actions of their supporters. Candidates may be held accountable *if evidence supports that a candidate had actual or constructive knowledge of illicit activities and/or authorized or acquiesced in such activities*. There is no proof of actual knowledge of these activities by Ilan, at least not evident in any filing received by the Office of the Attorney General. However, the Office of the Attorney general finds reasonably that RiseUp does have constructive knowledge.

A couple key issues: (1) The RiseUp pary and Ilan are shown to have a direct link. RiseUp follows Ilan and has interacted with Ilan directly several times on Instagram. RiseUp knows Ilan and Ilan knows RiseUp. (2) The Presidential candidate of RiseUp is the originator of the rumors surrounding potential legal action given complaint 21-13.

It is important to note that RiseUp is seriously hurt by not submitting a statement of defense. Without a statement of defense to weigh from the respondents, the petitioner's claims go unchallenged, so without serious internal consistency and/or flagrant disregard or misinterpretation of the Election Code, the burden of the Petitioner's is much lower. It is possible in appeal there is compelling evidence which exonerates the RiseUp party, though the Attorney General cannot now, given the presented evidence, find a lack of merit in the Petitioner's complaint. **Conclusion:** The Office of the Attorney General finds the evidence from the petitioner compelling, and in the absence of a statement of defense, merit is found and disqualification is recommended for the RiseUp Party.

Delivered to the Chief Election Commissioner: March 1st, 2021 at 12:26PM







## **HERE'S THE FACTS**

STUDENT ACTION AND THE 57TH ADMINISTRATION HAVE BEEN RUNNING ON THE SAME PLATFORM FOR YEARS. LET'S LOOK AT WHAT THEY ACTUALLY DID IN OFFICE...

# RiseUP







Post

...

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# RISAUP

riseupuh • Following Original Audio



ilangelman @maideh.orangi what does that have to do with changes we're seeing on campus? never did i attack her individual achievements, you're proving my point here

1d 1 like Reply

not true



maideh.orangi @ilangelman no ones attacking them advocating for their needs they're upset w them blaming the current administration and saying they did NOTHING, when that is

 $\bigcirc \bigcirc \bigcirc \blacksquare$ 

67 likes 1 DAY AGO

Add a comment... (..)

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Post



















ilangelman 5h

∎ **×** •••

Just a note that UH has yet to comment on this at all! Or take action!

WE CALL FOR THE RESIGNATION OF ANTONIO PEE-DIRECTOR OF RESIDENTIAL LIFE

@riseupuh

Reply to ilangelman...



I POSTS I TAGGED











#### ilangelman

··· ♡

@arsalandarbin Don't dodge, this is about parking, something that the student government quite literally has 0 jurisdiction over.. empty lots or not. lots of empty words here

2d 1 like Reply

touhouboy123



#### \_

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@srijith.kambala while SGA doesn't have direct power to change parking prices, it does have a way of affecting them by appointing people to the Transportation and Parking Committee. In







#Risell

### THERE IS NO TIME TO WASTE:

WE NEED Mass Vaccinations On Campus







mannered statement and used it to go help your community who is struggling right now and focus on your own campaign ♥

1w 2 likes Reply





ilangelman @nailsunk Vaccines quite literally have been proven to reduce the risk of viral infection and death in recipients, while there is no firm evidence that it prevents transmission there IS firm evidence that it limits infection once vou come into contact with it. This narrative of "herd immunity" is extremely dangerous and a mainrity of the reason

India in a far less densely populated region as well as far more medical resources, and yet we have 7x the average weekly cases as they do. I think thats largely to do with so many Americans blindly following anti-vax narratives and refusing to even do basic tasks such as masking themselves and staying home.

1w 1 like Reply



C

ilangelman @ilangelman I typed up that novel to say its extremely ironic for you to be claiming the push for vaccines is naïve when the idea of herd immunity is objectively naïve itself รรรเซาา ตาม กอพ immunity works if you really wanna. I've taken about 4 classes in that and aced them all. Currently working on my doctorate ♥ but please go on. Anti vaxxers, in my experience don't think herd immunity is real. Vaccines rely on herd immunity in general. That's kinda the whole bases of vaccines. And why small pox was eradicated. And every other contagious disease that has a vaccine. It's herd immunity created by the vaccine.

4d Reply

dope



ilangelman @nailsunk















# STANDS WITH QUENTIN EDMISTON

# Really	University	• Following of Houston	
	2d 15 li	kes Reply	
	maryam.alghafir Our statement was not regarding Quentin it was regarding Elliot Carter but ok		$\heartsuit$
	2d 18 li	kes Reply	
	— View replies (1)		
		<mark>ilangelman</mark> @maryam.alghafir holy shit ENOUGH	$\bigcirc$
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$\bigcirc$	$\bigcirc \nabla$	7	
94 likes			
2 DAYS AGO			

Ω



feelinstressedneverblessed @ilangelman how is it enough? i don't want someone bigoted representing me. would you?

2d 9 likes Reply



ilangelman @laya.n4482 reply from an account that wasnt created 4 minutes ago and ill answer your question

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2d 3 likes Reply



## STANDS WITH OUENTIN EDMISTON

C

 $\heartsuit$ 

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ilangelman @pickledpi "burner accounts are spreading misinformation on it" you have got to be kidding me the irony is physically painful

2d 4 likes Reply

2d 2 likes Reply



luke\_vrijland @ilangelman facts haha



### -

ilangelman @luke\_vrijland these guys are ridiculous, man

2d 3 likes Reply

man ri

riseupuh • Following University of Houston

View replies (1)



Ω

amyboo7 @uhstudentaction turned off their comment section to their post. How convenient when one of their own was tweeting about rape in 2020 ☺ So who's not taking accountability for their own?

••••

2d 10 likes Reply



ei he lo

anahihoney @amyboo7 hey Amy! He was no longer a part of our party the day that our members were made aware of his posts. We did not "stand with" his