

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 #21-25

Petitioner(s): Srijith Kambala (further referred to as “Srijith”, he/him),

Representing N/A

Respondent(s): Tyler Garrett (further referred to as “Tyler”, he/him),

Representing N/A

Allegations (filed February 28th, 2021 at 5:10PM):

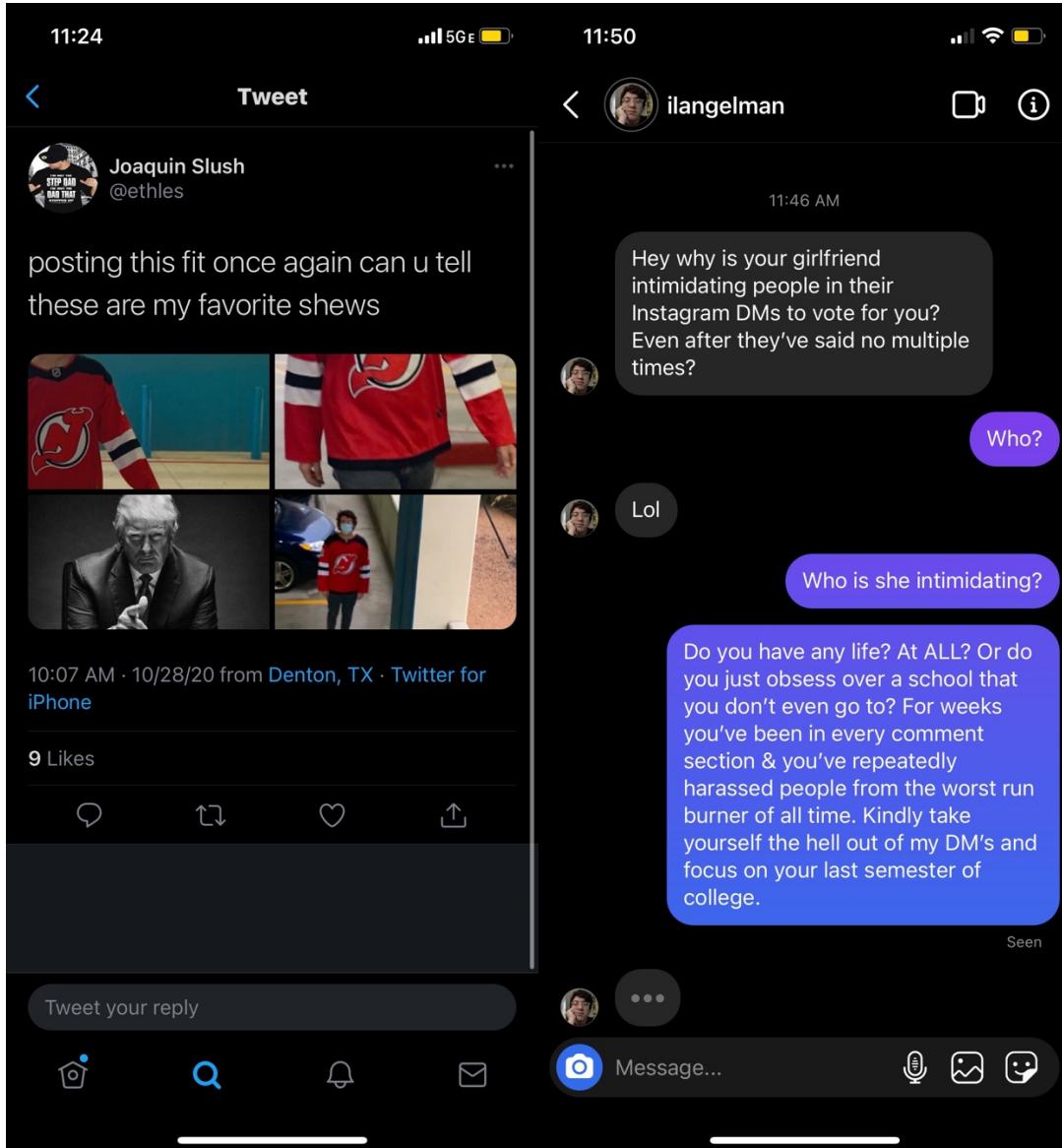
(1) Tyler violated A3S3C1 of the Election Code:

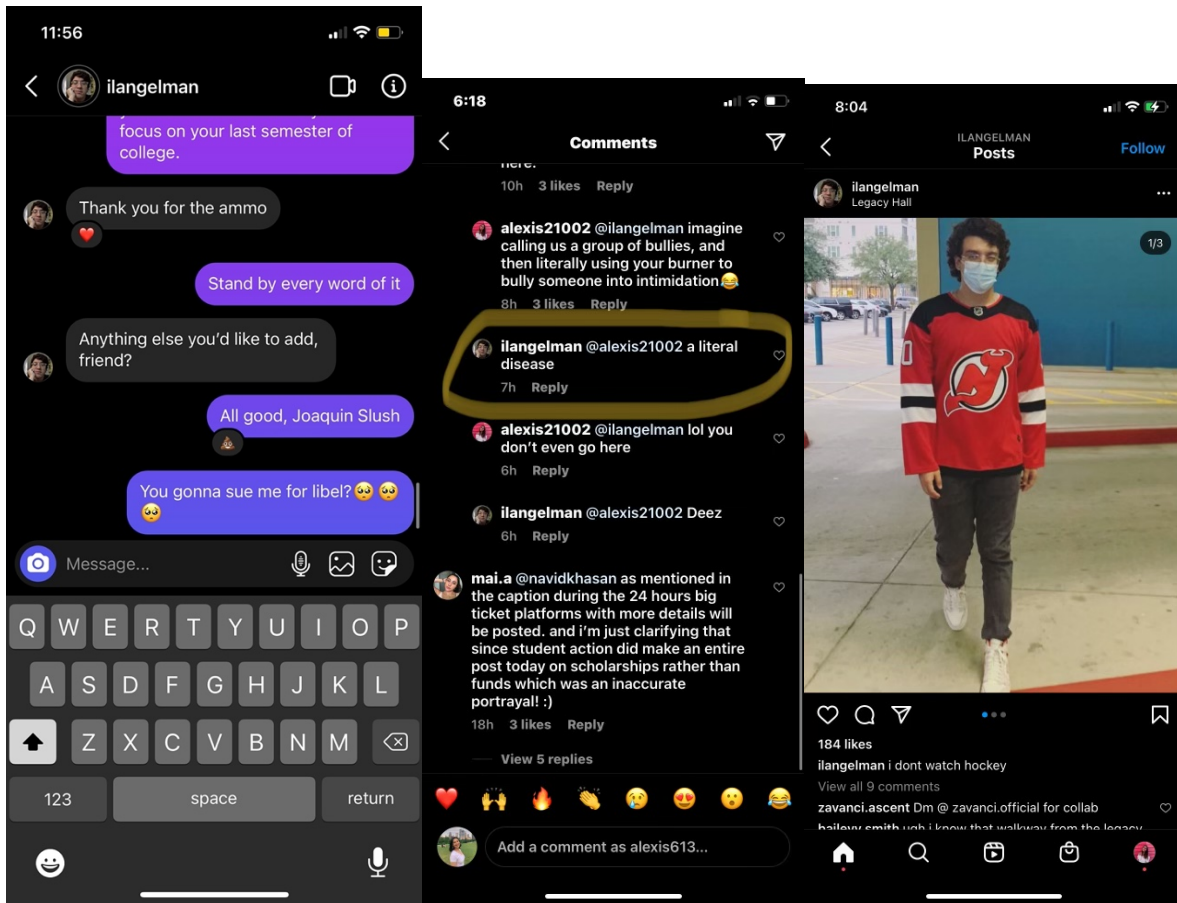
“All candidates are held accountable to the provisions of this code, Student Government Association Constitution and Bylaws and all other University policies. All candidates, by way of registering and running for office, are agreeing to abide by potential sanctions and policies the Attorney General, 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.”

Defense (filed February 28th, 2021 at 6:33PM):

“First, I would like to point to the picture that was conveniently left out by RiseUp — the part where I was responding to a message, not reaching out to someone. It is quite frustrating to have to deal with someone who has called my girlfriend “a literal disease” and then asks me to answer for her actions — ALL while saying his actions don’t represent RiseUP. I’m not denying that I could have responded better, but to insinuate that I am “intimidating” or “bullying” someone is asinine — especially considering the fact that the person who reached out is NOT a UH student. RiseUp has continued to use him as a proxy to avoid accountability and so I was responding to him. As this person has used his “burner” account to threaten to sue someone for libel — I feel as though a jest making fun of the ludicrous comments is not bullying either (comments which have been recognized in earlier complaints as intimidating and harassing themselves). As a victim of bullying myself, I find it inappropriate and tone deaf for RiseUp to insinuate that a reply is something on nearly the same level. It is also clear that this was his intent — to bait me into

responding so that he could use that to help RiseUp. While my comments could have been more polite, that is something for me to work on personally — it is not intimidating, nor is it bullying. Below I have attached the conversation (in its entirety), as well as proof that the burner that I was referring to in the joke *is* in fact the same person that I was communicating with.





”

-Tyler Garrett

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.

EVIDENCE FILED WITH THE COMPLAINT:

Section 3: Responsibilities of a Candidate

Clause 1. 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.

Honors Senator candidate Tyler Garrett is seen bullying and harassing a friend and supporter of #RiseUP. In his messages, it is clearly seen that he is attempting to intimidate the victim through the use of insults. He also is seen taunting the victim by stating "You gonna sue me for libel?" alluding to the UH Dems post accusing the victim of intimidating voters. He is in direct violation of the Election Code, as A3S3C1 states that candidates are to be held accountable for all University policies. Since he is in violation of UH's stances on bullying and harassment, he is in violation of this code and is subject to penalty.

Decision (March 1st, 2021 at 12:14PM): Srijith's complaint LACKS merit and this IS NOT a violation of the Election Code.

Sanction: N/A

Further Analysis: The petitioner submits a complaint originating from a supporter of theirs which did seem to purposefully exclude the broader context of the situation. The initiator of the conversation was the Rise Up supporter "ilangelman" (further referred to as "Angel"), and it does appear the initial swipe was made by Angel. Despite who started it, this does not rise to the level of harassment in the eyes of the Attorney General.

The University of Houston does not hold that criticism, harsh or otherwise, is considered harassment. The context of harassment is more specific per University Policy ([See Here](#)). However, the UH Election code does provide a succinct definition of harassment, giving more latitude to the Attorney General and courts to interpret what exactly constitutes harassment.

Conclusion: N/A

Delivered to the Chief Election Commissioner: March 1st, 2021 at 12:16PM