

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 #21-0_

Petitioner(s): Hiba Rashid (further referred to as “She/Her/Hers”, pronouns),

Representing: N/A

Respondent(s): Laura Rincon / Rise Up (further referred to as “She/Her”, pronouns),

Representing: Rise Up

Allegations (filed March 1st, 2021 at 12:08PM):

(1) Laura Rincon 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.”

(2) Laura Rincon violated A7S2C12 of the Election Code:

“A Class D violation is a violation of any suspension of campaigning by any member(s) of a party on Election Probation.”

Laura Rincon is seen in these screenshots campaigning on GroupMe while banned.

Defense (filed March 1st, 2021 at 1:51PM):

“The complaint argues that there was campaigning during a suspension. For reference, the suspension placed on the party was from times 10 A.M. to 12:15 P.M. on 3/1/2021, and I urge the Attorney General to confirm these times. These suspensions were due to Complaint 21-07 and 21-19.

The evidence attached does not show Laura Rincon campaigning during these times.

- The first screenshot clearly shows the time that Laura messaged that GroupMe was 9:45 A.M, which is prior to the suspension time frame.
- The second screenshot does not display a timestamp for when Laura's message was sent, it simply displays a time for when the screenshot was taken. This was done on purpose to misconstrue when the message was sent.
- Below we have attached the screenshot which shows when Laura sent the message in the second evidence. The time of this message is 9:38 A.M. It is also clear that the next message in that group chat comes from a member of the Student Action Party, at 10:10 A.M., further showing that Laura did not message during that time.

There has been no campaigning by the RiseUp party during times of suspension, we made sure to this.

Evidence:

1:38



European Union Politics (Pols3389)



Blake Lee
And the College democrats



Blake Lee
Something like there was going to be a lawsuit for libel



Laura Rincon Bianchi
So One of our supporters took it upon himself to intimidate people online behind all of our backs. A complaint was filed and he submitted his defense. In it, he clearly states that he didn't tell any of us. All of this is public info just go look for it on the SGA's website! I want to assure you that as the VP of my party and a huge believer in free speech, I would have NEVER allowed that to happen if I was told about it. When we found out all of this via the complaint, our party cut all ties with him immediately!



1 Mar 2021 at 9:36 AM



Blake Lee
Nicely handled



Laura Rincon Bianchi
Lmk if any of y'all have anymore questions!! VoteRiseUp!!



10:10 AM



Brendan Bennett
Instagram



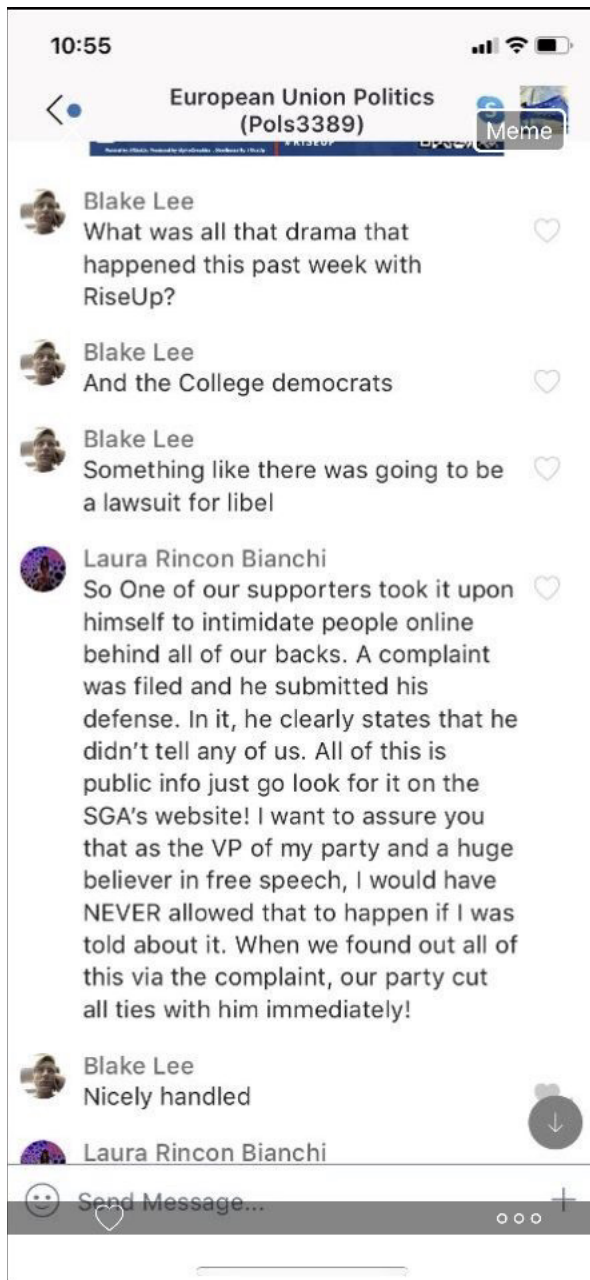
Send message



”

-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.



Decision March 1st, 2021 at 1:05 PM): Hiba's complaint LACKS merit and this IS NOT a violation of the Election Code.

Sanction: N/A

Further Analysis: The groupme messages were posted before 10AM as indicated in the defense statement. This does not violate Laura's 10AM ban.

Conclusion: There is no penalty.