

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 #21-30

Petitioner(s): Chiamaka Chukwu (further referred to as “Chiamaka”, she/her),

Representing The Election Commission

Respondent(s): Laura Rincon (further referred to as “Laura”, she/her),

Representing Rise Up

Allegations (filed March 1st, 2021 at 5:36PM):

(1) RiseUp violated A6S2C12 of the Election Code:

“All donations both tangible and intangible, financial or non-financial, must be disclosed on an individual’s or party’s donation list and counted as part of their campaign expenditures, limited by the campaign expenditure limits. All nonfinancial contributions/donations to an individual or party (this includes but is not limited to: printed materials, signage, t-shirts, etc.), must be assessed a fair market value and included on both the weekly donation list and the financial disclosure form. Any funding an independent candidate or party candidate uses to finance their campaign must be accounted for in the weekly donation list.”

Defense (filed March 1st, 2021 at 9:42PM):

“I, Laura Rincon, also accept full responsibility for this mistake concerning the financial disclosure. I would like to again state that the reason the document was not properly filled out was due to two major factors. The first being that we received an email from the election commissioner stating that we had been disqualified and I was very hesitant to send it in. I was worried more about whether or not I had been disqualified. The second major factor is extremely personal and dear to my heart. Around the time when I was supposed to submit, I got a call from my brother telling me his father had died. He was extremely upset and needed my support. My full attention turned towards him. I did not inform the rest of the #RiseUp team about what had just happened, nor did I tell anyone else to turn in the financial disclosure, since it was the last thing on my mind. This was my responsibility and I apologize if it caused any inconvenience. While turning in the form I was in a frantic state and didn't realize that I turned the wrong one in.

In the screenshot below, It shows that I filled one form in correctly and just failed to include that one in the submission email. The screenshot shows that the document was last edited over two hours ago, which is when I turned in the financial disclosure. I would also like to add that in the first email I did include the receipts for the “weekend getaway” which shows I was not trying to hide anything from the election commission. This was an honest mistake and not a attempt to keep any financial information hidden from the Election Commissioner

That being said, I ask the Attorney General to please only penalize me for this and not my entire team, since they had no idea what was going on. ”

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 2nd, 2021 at 9:40PM): Chiamaka’s complaint HAS merit and this IS a violation of the Election Code.

Sanction: This is a Class C penalty and RiseUp will be assessed a 6-hour ban on Thursday from 10AM-4PM

Further Analysis: Throughout this Election, across multiple fronts, the Rise Up party has failed to meet simple deadlines. This is despite multiple extensions being given. The Office of the Attorney General cannot allow leniency for this violation. It would be unfair to the candidates and opposing party who submitted their paperwork on time.

Donor lists and campaign finance disclosures can be as simple as an email, an email anyone on the team can submit.

Conclusion: This is a class c. It should be noted to RiseUp that this serves as their third class C violation, therefore if another class c violation be found, the party will be assessed a class B, which will be upgraded to a class A due to the number of violations at hand.