



Channel Islands

CALIFORNIA STATE UNIVERSITY

ASSOCIATED STUDENTS INC.

Election Council Hearing Findings – April 19, 2017

The Election Council held public hearings on April 13, 2017 and April 17, 2017 to hear and decide upon complaints presented to them by the Nathan Altman-Alexis Mumford ticket against the Stephen Hemedes-Roland McClean ticket, and from the Stephen Hemedes-Roland McClean ticket against both the Altman-Mumford ticket and the Karina Hinojosa-Marshall Goldman ticket. Members of the Election Council present were: Jeremy Booker, Chair, Sean Kramer, and Michelle Noyes. The complaints and the responses of the Election Council are provided below. The Election Council has the authority to impose remedies for violations of the Election Code if, after a review of evidence presented, they conclude that the evidence effectively supports such a finding that there is a breach of the Election Code.

As the Election Code provides respondents the opportunity to appeal the remedies imposed by the Election Council, the implementation of remedies are held in abeyance until the timeline for appeal has been completed. If an appeal is not received by the respondent(s), the decision of the Election Council becomes final and remedies are then implemented. Some charges in the complaints will not be reviewed by the Council until, and unless, there is a University finding of responsibility which also constitutes a violation of the Election Code.

Complaints levied by the Altman-Mumford Ticket against the Hemedes-McClean Ticket:

Complaint Number 1

The complaint claims that the Hemedes and McClean team campaigned prior to the allowed start date of active campaigning (March 27, 2017). The complainants were informed of this Saturday March 25, 2017, by an anonymous student. The witnesses are Nathan Altman, and Jack Holden. The marketing and advertising had their official logo and small statements.

Finding: The Election Council ruled, in a (2-1 vote) that the Stephen Hemedes and Roland McClean campaign team did campaign via the opening of a social media account that was viewable in a limited capacity to the public prior to the Monday, March 27, 2017 date. The Election Council held that a written warning would be issued to Stephen Hemedes and Roland McClean.

Complaint Number 2

The complaint claims that Hemedes, in a social media video, criticized the outreach methods of other candidates. The complainant has alleged this behavior to be slanderous. Witnesses: Nathan Altman

Finding: The Election Council ruled, in a (3-0 vote) to dismiss this complaint. The Election Council held that the comments made did not violate the Election Code.

Complaint Number 3

The complaint claims that Hemedes and McClean addressed the campaign in a public venue which disrupted a Student Government event. Witnesses: Alexis Mumford.

The Election Council referred this case to the University's Title IX & Inclusion Office as it contains/refers to allegations of involvement in a possible violation(s) of our University policies prohibiting sexual misconduct. Such reports fall under the jurisdiction of the University's Title IX & Inclusion Office, and so cannot be evaluated in this public forum. Thus, this aspect of the complaint has been referred to Ms. Brittany Grice, our University's Title IX & Inclusion Officer.

Complaint Number 4

The complaint claims that Hemedes and McClean, on social media, discredited the efforts of Student Government. Witnesses: Karina Hinojosa

Finding: The Election Council ruled, in a (3-0 vote) to dismiss this complaint from further consideration. The Election Council held that the comments made did not violate the Election Code.

Complaint Number 5

The complaint claims that the Hemedes and McClean team has used the University logo in campaigning efforts on social media. Witnesses: Alexis Mumford, Nathan Altman, Jack Holden.

Finding: The Election Council ruled, in a (3-0 vote) that the Stephen Hemedes and Roland McClean campaign team did use the University logo in campaigning efforts on their Instagram social media platform via the posting of an endorsement from the CI Lacrosse team that showed the CI spirit logo in the background. The Election Council held that a written warning would be issued to Stephen Hemedes and Roland McClean.

Complaint Number 6

The complaint claims that the Hemedes and McClean team made false claims against the Altman and Mumford campaign team. The complaint references flyer distribution at the Presidential Debate and the creation of the Hemedes.McCleanShadeRoom account as false claims. Witnesses: Alexis Mumford and Nathan Altman

Finding: The Election Council ruled, in a (2-1 vote) to dismiss this complaint. The Election Council held that the testimony of Stephen Hemedes and Roland McClean was made in good faith and therefore did not constitute deliberate false testimony.

Complaint Number 7

The complaint claims that the Hemedes and McClean campaign team issued a false statement into testimony at the public hearing on 4/13/2017. The complaint reads, "Stephen stated they would know when the campaign start date was since his birthday is March 27, and he was skydiving. Roland McClean said there was no evidence or proof. They both denied the starting of the page prior to March 27, 2017." Witnesses: Alexis Mumford and Nathan Altman

Finding: The Election Council ruled, in a (2-1 vote) that false testimony was provided in the 4/13/17 hearing by the Hemedes-McClean ticket. The Election Council ruled to remove the Stephen Hemedes and Roland McClean ticket from the election.

Complaints levied by the Hemedes-McClean Ticket against the Altman-Mumford Ticket:

Complaint Number 1

1. The complaint claims that Nathan Altman, Alexis Mumford and members of their campaign team have participated in slander tactics during campaigning. This claim is supported by the following:
 - a. Flyer distribution at the Presidential Debate. Witnesses: Stephen Hemedes, Roland McClean, Brooke Oscarson, Jasmin Barajas, and Stephanie Sanchez
 - b. The creation of the social media page: Hemedes.McleanShadeRoom. Witnesses: Stephen Hemedes, and Roland McClean

Finding: The Election Council ruled, in a (3-0 vote) to dismiss the complaint. The Election Council held that the presented evidence was insufficient to conclude that Nathan Altman, Alexis Mumford, or any members of their campaign team participated in the aforementioned activities.

Complaint Number 2

1. The complaint claims that Jack Holden, a member of the Altman and Mumford campaign team has participated in negative social media comments which has influenced voter attitudes. Witnesses: Stephen Hemedes, and Roland McClean

Finding: The Election Council ruled, in a (3-0 vote) to dismiss the complaint. The Election Council held that the comments made did not violate the Election Code.

Complaints levied by the Hemedes-McClean Ticket against the Hinojosa-Goldman Ticket:

Complaint Number 1

1. The complaint presented by the Hemedes-McClean ticket claims that the Hinojosa and Goldman team has used the University logo in campaigning efforts on social media. Witnesses: Stephen Hemedes and Roland McClean.

Finding: The Election Council ruled, in a (3-0 vote) that the Karina Hinojosa and Marshall Goldman campaign team did use the University logo in campaigning efforts on their Instagram social media platform via the posting photos and during the Stand With Survivors event. These photos displayed the University logo on a nametag and contained the University logo on event advertisement materials. The Election Council held that a written warning would be issued to Karina Hinojosa and Marshall Goldman.