



**ASSOCIATED
STUDENTS INC.**

C H A N N E L
I S L A N D S

NOTICE OF MEETING OF THE ASI ELECTION COUNCIL OF ASSOCIATED STUDENTS OF CSU CHANNEL ISLANDS, INC.

NOTICE IS HEREBY GIVEN, to the general public and to all of the Board of Directors of Associated Students of CSU Channel Islands, Inc., a California nonprofit public benefit corporation, that:

A meeting of the ASI Elections Council will be held on Monday, April 17, 2017 at 12:00 – 1:30 p.m. pursuant to Education Code Section 89921 et seq., at California State University Channel Islands, in the University Student Union Meeting Room B, located at One University Drive, Camarillo, CA 93012, to consider and act upon the following matters:

1) Call to Order: 12:04 p.m.

- a. J. Booker stated that the meeting is an open meeting, but will be closed for comment during continuation of the deliberations. There is a new complaint that is in reference to a case that has not been deliberated on, the council will wait to hear it until after the deliberations if there is time.

2) Roll Call:

- i. Members present: Jeremy Booker, Michelle Noyes, Sean Kramer
- ii. Members of the Public: Stephen Hemedes, Roland McClean, Alexis Mumford, Nathan Altman, Jack Holden, Kristina Hamilton, Helen Alatorre, Grant Kramer, Matthew, Viola, Noelle Ewing, Angela Christopher, Katherine Hawkins, Karina Hinojosa, Marshall Goldman, Isaiah Ball, Cindy Derrico, Carla Mena

3) Formal Election Council Hearing:

CONTINUED DELIBERATION ON THE FOLLOWING CASES--

- a. Case 1: Alleged violations of the Hemedes and McClean campaign team. Complaint submitted by the Altman and Mumford campaign team.
 - i. 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.
 1. Complaint 5
 - a. M. Noyes noted that there are a lot of logos around campus and it is hard to get away from them.
 - b. S. Kramer noted that it is depicted from the official logo, but it is not an intentional logo and is not an exact copy of the university logo. Does not look like the formal logo.
 - c. The council pulled up the website that was brought into evidence.
 - d. J. Booker in the frequently asked question handout that was given to all candidates at the candidate workshop it stated that “all university sanctioned logos are prohibited” including the CI spirit logo. So the question then is, does this constitute the CI spirit logo?

- e. J. Booker said there was evidence presented saying there was additional text on the mural which was used as a reason why it is not the same as the university logo.
- f. The council took a second look at the picture with the mural in it.
- g. J. Booker called a vote asking if members of the council felt this did constitute a spirit logo. All council members voted yes, this is a CI spirit logo. C. Derrico clarified that there does not need to be a vote on if it is a spirit logo or not, just if there is a violation to the election code.
- h. J. Booker asked the council if they do believe this is a violation.
 - i. S. Kramer stated that he believes that it is not different enough from a spirit logo, making it a spirit logo, and thus being a violation.
 - ii. The council all agreed that this is a violation of the election code.
 - iii. M. Noyes recommended a written warning, since the logo is just in the background.
- i. Complaint 5 will receive a written warning.

b. Case 2: Alleged violations of the Hinojosa and Goldman campaign team. Complaint submitted by the Hemedes and McClean campaign team.

i. Complaint 1:

- 1. M. Noyes stated that it is university affiliated.
- 2. J. Booker asked the council if there is a violation of the election code.
 - a. M. Noyes and S. Kramer said yes.
 - i. S. Kramer added that it was probably on accident, but still a violation.
 - ii. J. Booker stated that he believes some outreach was done to see if they could wear the name tag, but that no direct outreach was sought toward the council.
 - iii. C. Derrico asked the council to be specific on what they are stating is a violation do to the many iterations in this complaint.
 - iv. J. Booker explained there is one issue of a logo on a flyer and the second a logo presented on a name tag.
 - v. M. Noyes stated that both would be violations
 - vi. J. Booker called for a vote.
 - 1. Is the violation a name tag of the election code?
 - a. S. Kramer stated no, as it is usually a requirement of work.
 - i. J. Booker replied to that that you may be required to wear it, but you are not required to post it on social media. Votes yes.
 - b. M. Noyes states yes, and feels the flyer is a violation as well.
 - 2. Is the flyer considered a violation of the election code?
 - a. All council members vote yes.
 - vii. J. Booker asked the council for a remedy.
 - 1. S. Kramer and M. Noyes feel since it was not on purpose it should be a written warning.
 - 2. J. Booker agrees.

- b. Complaint 1 will receive a written warning.

- c. Case 3: Alleged violations of the Altman and Mumford campaign team. Complaint submitted by the Hemedes and McClean campaign team.
 - i. Complaint 1:
 - 1. J. Booker asked the council if Hemedes and McClean has pleaded a case to warrant connecting Altman and Mumford to the claims.
 - 2. M. Noyes stated that due to students coming forward at the last hearing that they gave out the fliers, there is no tie here to Altman and Mumford. In reference to "B" there was no evidence.
 - 3. J. Booker stated that to both points the evidence was circumstantial. The burden of proof was not established.
 - 4. The council unanimously decided to dismiss this complaint.
 - 5. Complaint 1 will be dismissed.
 - ii. Complaint 2:
 - 1. M. Noyes stated that it is not a great post, does not see how this would have enough to cause for action.
 - 2. J. Booker stated that this is not actionable and is just a statement and falls within freedom of speech, even for a member of a campaign team.
 - 3. The council unanimously decided to dismiss this complaint.
 - 4. Complaint 2 will be dismissed.
- d. J. Booker opened the meeting back up to allow for Case 4 to be heard.
- e. J. Booker restated the process that was state at the last hearing and how the Case will be stated and how much time each is allowed

4) New Case

- a. Case 4: Alleged violations of the Hemedes and McClean campaign team. Complaint submitted by the Altman and Mumford campaign team.
 - i. Complaint 1: 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
 - 1. Nathan Altman and Alexis Mumford Statement
 - a. N. Altman: On Saturday or Sunday, I received the notification that the Hemedes and McClean Instagram page was up, with 2-3 follower and a private account.
 - b. A. Mumford: The Hemedes and McClean testimony from the last hearing has them claiming that they did not start the Instagram account prior to the start of campaigning, which is falsified information to the council. This is a lie to the council that they did not do it prior to the start date. There is evidence that they did it before March 27th, as we submitted the evidence March 26th, as I received it March 25th from an anonymous student.
 - ii. Complaint 2: 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.McClean ShadeRoom account as false claims. Witnesses: Alexis Mumford and Nathan Altman
 - 1. Nathan Altman and Alexis Mumford Statement
 - a. A. Mumford stated that at the last hearing, detailed evidence was shown to the council that we were completely innocent to creating the page, as text were sent to Hemedes and McClean of the concern and we reported it. Also they stated false information that we handed

out flyers, even though our witnesses at the last hearing disproved that. This is taken seriously and can be looked at as shaming on us.

- b. J. Booker asked for witnesses
 - i. Katherine Hawkins: Witness to all the above and witnessed individuals from MECHA handing out the flyers, not Nathan Altman or Alexis Mumford. I also was at the last hearing to witness the falsified information.
 - ii. Angela Christopher: Witness to the Instagram page. A friend notified me of the page and then took a screen shot and sent it to Nathan Altman and Alexis Mumford.
 - iii. Jack Holden: A witness at the last hearing and heard the false testimony as well as a witness to MECHA handing out the flyers, as well as stating at the last hearing that they as an organization do not support a candidate, which Hemedes and McClean claimed they do.
 - iv. Carla Mena: A witness to the last hearing and MECHA passing out the flyers as well as the false testimony stated by Hemedes and McClean.
 - v. Viola Bow: A witness to the last hearing and MECHA passing out the flyers as well as the false testimony stated by Hemedes and McClean.
 - vi. Noelle Ewing: I spoke with the chair of MECHA, and the intention of the flyer was information and they are not allowed to support a candidate and that is in their bylaws.
- c. J. Booker called the respondents up
 - i. Rolland McClean and Stephen Hemedes in response to Complaint 1:
 - 1. R. McClean: As far as the flyers go, we stated in our first complaint that, he expressed, that this was evident in the flyer that were distributed at the debate, we never mentioned who.
 - 2. J. Booker reminded the public that they must listen and be respectful and leave comments to themselves.
 - 3. R. McClean: We stated in our thing that we were trying to show correlation. We were trying to bring evidence.
 - 4. R. McClean: As far as the false statements in the testimony, Stephen Hemedes stated that “he would know when the campaign started since his birthday is March 27th” and that’s a fact. From their complaint, Rolland McClean stated that “there was no evidence or proof”, that’s because on Thursday I saw no evidence from the complainants or ASI election council.
 - 5. S. Hemedes added that the burden of proof isn’t on the election council but on those accusing us.
 - 6. S. Hemedes: I think our words got misinterpreted as it states, “they both denied the starting of the page prior to March 27th” we meant by that, that we didn’t start posting campaign material. We never said anything on Thursday about the creation of the page. The first post was on March 27th, which is in the evidence. Also please note that we only had 23 likes on our first post, and the other candidate’s first posts had more likes. This did not give us an advantage as it has been eluded to.

- ii. Rolland McClean and Stephen Hemedes in response to Complaint 2:
 - 1. S. Hemedes in response to the hate page, we did have reason to believe that Altman/Mumford did start it. Additionally it was felt that after meeting with Jeremy Booker and Genesis DeLong that this should be brought to the election council and see what evidence is presented. We reserve the right to change how we feel, as we now have the full scope of the situation.
 - 2. A. Mumford in response to Stephen Hemedes: It was not right to accuse us have basically cyber bullying without any evidence.
- iii. J. Booker opened it up to questions from the council
 - 1. S. Kramer asked what the purpose of the screenshot was that was taken of Nathan Altman's page. S. Hemedes stated that they thought that the Trump comment had a correlation and was in need of being in the evidence.
- d. J. Booker let the public know that the council would go into deliberations now and is closed for public comment.

5) Deliberation for Case 4

- a. Complaint 1:
 - i. J. Booker shared with the council that in the election code it states "no candidate may make false statements in any ASI election council hearing. Any individual who deliberately enters false testimony or documentation into record at any hearing will be subject to disqualification from office". J. Booker asked the council to focus on the word "deliberately". J. Booker stated that he does not believe this rises to this level. There was no photo shopped information that was deliberate. Students have the right to enter in things they think are related.
 - ii. M. Noyes stated that she questioned this last week and I stated that she does believe the council was presented with a false claim in regards to the Instagram account.
 - iii. S. Kramer does agree that Hemedes and McClean did state or someone else did state that Altman and Mumford did pass out the flyers.
 - iv. S. Kramer feels that there shouldn't have been a hearing on hearsay.
 - v. J. Booker shared that is also the responsibility of the council.
 - vi. J. Booker asked the question is was this deliberately false?
 - vii. M. Noyes said this can be damaging to make this up about another ticket.
 - viii. C. Derrico stepped in to clarify that the election code does not allow the council to rule on whether it was damaging, but if it was deliberate.
 - ix. M. Noyes and J. Booker agreed that it was not deliberately false testimony.
 - x. J. Booker added that Hemedes and McClean filed a claim and as they saw fit and backed it up and the council has already decided to dismiss that.
 - xi. J. Booker stated for clarification that any decision that the council makes, if a claim is dismissed, I don't want this to come up in the future, as anything that the council dismisses now becomes factual in accuracy. I don't want to make that precedent.
 - xii. The council voted 2-1 to dismiss the case.
 - xiii. Complaint 1 is dismissed.
- b. Complaint 2:
 - i. J. Booker stated that his thoughts were that the council already ruled on this. This is differing definitions on what is active campaigning. The warning has been yet to be issued to the team, so this could be looked at as holding the team responsible twice. J. Booker recommends a dismissal.

- ii. M. Noyes disagrees and believes that the council was given false information. To say that there is no evidence that it was campaigning before March 27th. Just to have the name and information is enough to campaign.
- iii. C. Derrico clarified that what is being deliberated is the false testimony that was given on Friday. There has already been a ruling on the campaign part.
- iv. M. Noyes believes it is still false information because what Hemedes and McClean said today contradicts what they said about the page at the last hearing.
- v. S. Kramer stated that he agrees with Michelle Noyes.
- vi. M. Noyes feels that the story has changed between this hearing and the last hearing from Hemedes and McClean. Additionally, M. Noyes notes that her notes from the last hearing says that Hemedes and McClean did not create the page prior to March 27th, but today they have said that they had the page, but had not started posting yet.
- vii. J. Booker still wants the council to consider the black and white of having a page with nothing really on it prior to campaigning can mean campaigning to some and not to others. Meaning you could honestly say you did not start campaigning because you had the intention of keeping it private.
- viii. M. Noyes just noted again, that the issue is the story keeps changing.
- ix. S. Hemedes answered the council stating that at the last hearing he did state he didn't know there was a page, but after the meeting on Thursday, it became apparent that there was a page. Today I am not going to continue to say that there wasn't a page as I know there was. I didn't have any involvement in it, but I am not going to falsify today and say there wasn't a page, as I know there was now.
- x. J. Booker called it to a vote: Does the council find a violation of the election code present with falsified information?
- xi. S. Kramer and M. Noyes voted yes.
- xii. J. Booker: Looking to the election code, does this rise to being deliberate. (Section 8, Part F, Line 7)
 - 1. S. Kramer read this section allowed to the room.
 - 2. J. Booker votes no.
 - 3. S. Kramer and M. Noyes vote yes.
- xiii. J. Booker: The remedy recommendation from the council:
 - 1. J. Booker asked Cindy Derrico: As it is written, it says "may be subject for removal of office", is that a mandated?
 - a. C. Derrico clarified that it can be. That is read as the highest potential consequence. This is directly already speaking about someone already in office. If it applies to candidates, the highest level would be removing the candidates from the election.
 - 2. J. Booker stated that they have not been given written warnings for their other two violations yet. Does that factor into the decision that we make?
 - a. C. Derrico to clarify, here the candidates are not able to benefit from the written warnings, which is a concept used in student conduct as well.
 - 3. J. Booker stated that he feels it is irresponsible to not allow them the benefit of that process.
 - 4. The council voted and it was a 2-1 vote with the remedy being removal from the election.
 - 5. Complaint 2 warrants removal of Hemedes and McClean from the election process.
 - 6. J. Booker yielded time to Cindy Derrico to explain this process.
 - a. At the conclusion now, any of the tickets can appeal the decision made by the election council and appeal to the ASI Executive Director, Helen Alatorre.
 - b. The purpose for Cindy Derrico being here is to assist with the procedural process, without any comment or opinion.
 - c. Additionally, since there would be an active appeal when elections begin tomorrow, it would not be appropriate to remove the candidates from the election that starts tomorrow. After the fact

those candidates would go through the appeal process. If Hemedes and McClean won, and appealed and the outcome was still removal then they would be removed from office as the election code states. This is not an immediate removal from the process. If the decision from the ASI Executive Director is not the decision that is preferred then you can appeal to the ASI Board of Directors. To clarify, any and all decisions made by the election council may be appealed. The last ASI Board of Directors meeting is May 4th for the current academic year.

- d. The council asked if there was any questions about the above.
 - i. Hemedes and McClean brought of concerns of the final sentence in Complaint 2, and asked from Michelle Noyes to restate her notes on what was said. Cindy Derrico clarified that the decision and vote on this complaint has already concluded, meaning this is probably the ticket beginning their appeal process. Cindy Derrico further clarified that the question is appropriate, but just wanted to clarify the above. Hemedes and McClean stated that they will be making an appeal. J. Booker suggested that to gain more information to reach out to Jeremy Booker directly. From here S. Hemedes asked Michelle Noyes to read her notes, and M. Noyes noted that she would feel more comfortable stated that information in the actual appeal process. J. Booker suggested that they can all sit down and also do this over email so there is a written record. Alexis Mumford clarified that a full statement was submitted to the council. S. Hemedes asked to be emailed the full statement.
 - ii. Angela Christopher asked why the minutes where not typed out before this meeting?
 - 1. J. Booker answered because of the time constraints.
 - iii. A question from the public was asked if there was a decision made on the falsified information on the handing out of documents?
 - 1. J. Booker answered that yes, and it was dismissed.
 - iv. Jack Holden: Asked if there was any more said about what the evidence was about Hemedes and McClean claiming that the Altman and Mumford were a part of passing out the flyers? Or was it submitted that the flyers were false? Especially when MECHA said they can't openly support anyone.
 - 1. J. Booker asked what the need was behind this statement?
 - 2. Karina Hinojosa added that when the council ruled they were looking at the evidence and not about the false statement that was made on Thursday. As they said they physical saw Nathan Altman and Alexis Mumford, which was the first complaint.
 - 3. S. Kramer: In the complaint that was given to use, it said that they made false claims. It does not say that the false claim is against them actually saying they say Nathan Altman and Alexis Mumford handing out flyers.
 - 4. C. Derrico said that the issue is the initial allegation and the complaint was that the allegation was false. Sufficient evidence wasn't provided, so it wouldn't be fair to impose a ruling without such evidence.
 - 5. Corinne Smith added that this would be helpful to go to an appeal process and Cindy Derrico clarified, that

most of these questions are coming from the public who wouldn't be in the appeal process as that is not an open meeting.

6) Adjournment: 1:16 p.m.

- a. J. Booker stated that if you would like any other additional information please reach out directly to him or the appropriate individual.

Any interested person may submit documents in support of, opposition to, or otherwise related to complaints to the Election Council Chair prior to the hearing. No new evidence will be considered for cases that have already been heard. Documents submitted should bear the title and name of the submitter and a brief statement of the submitter's connection with or interest in the complaint. These documents will be distributed to the individual with the alleged accusation. Submissions may be directed to jeremy.booker@csuci.edu and must be received prior to the public hearing.

Minutes transcribed based on hearing recordings, please note some pieces may be inaudible.
Respectfully submitted by Annie Block-Weiss, ASI Administrative Support Coordinator.