

No. \_\_\_\_\_

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In The

*Judicial Board*

of the  
Undergraduate Students Association  
of  
UCLA

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Hazrah Et Al.

*v.*

*USAC Election Board*

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P E T I T I O N F O R  
C O N S I D E R A T I O N

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Matthew William Richard <sup>Text</sup> Ramneek Hazrah

5/15/2018

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USAC Election Board  
info@usacelectionboard.com

Signatures (official use only):

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Chief Justice

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Clerk

## **PART I: JURISDICTION**

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Stipulated by Election Code 11.4: “Election Board decisions may be appealed in writing to the Undergraduate Students Association Judicial Board. Initial petitions for hearing shall be made by 5:00 p.m. on the second (2nd) official school day following said decision.” Given USAC Election Board released decisions at 6:37 pm 5/15/18 and Hazrah Et Al. is submitting this petition on

The USAC Election Board failed to abide by the USAC Judicial Boards decision that they implement an appropriate and reasonable sanction according to election code Article 11.3.5 a-d.  
to make a decision on Tuesday 5/15 thus this petition is being filed the same day as their inaction.

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## **PART II: VIOLATIONS**

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### **Enumeration of Violations**

Hazrah et al. formally appeal the decision of the USAC Election Board to not reasonably sanction candidates Izzy Gardner, Bella Martin, Victoria Solkovits, Claire Fieldman and Aneri Suthar for Election Code violations alleged in numerous filed complaints (#C59, C61, C62, C63, C64, C65, C66, C67, C68, C69, C70, C71-S2018). Given the similarity and severity of these multiple reports of violations of the right to a secret ballot (Election Code 6.1), voter coercion (Election Code 8.1) levelled against candidates Izzy Gardner, Bella Martin, Victoria Solkovits, Claire Fieldman and Aneri Suthar, the Election Board failed to act on its mandated duty of fully investigating claims of wrongdoing (Election Code 2.7), protecting the sanctity of elections in accordance with the USAC Constitution, Bylaws, and Election Code (USAC Constitution 9.B.1) and issuing a reasonable penalty (13.1).

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In accordance with official order 18-4 “The JUDICIAL BOARD requested the USAC Election Board to investigate new allegations of voter privacy invasion, voter coercion, or attempts of such ONLY IF the evidence provided at the hearing or any new information Election Board receives by 11:59 p.m. on May 11, 2018 is relevant to the allegations detailed in those complaints” and “The JUDICIAL BOARD requested the USAC Election Board to further investigate claims of Election Code violations as detailed in #C61, C62, C64, and C66-S2018 ONLY IF evidence provided at the hearing or any new information Election Board receives by 11:59 p.m. on May 11, 2018 is relevant to the allegations detailed in those complaints”. In accordance with 11.3.5.a-d.

In accordance with election Code 2.7, the Election Board failed to act on its mandated duty of fully investigating claims of wrongdoing. The USAC Election Board has also failed to fully investigate all violations as they have yet to interview Matthew Richard after stating that they needed to. USAC Election Board failed to properly examine witness Sue Han, rather than interviewing about her testimony they asked if she was affiliated with USAC. Election board has also stated that they could not come to an agreement and that they required more time to investigate to come to a better conclusion. This shows that once again, Election Board was pressured to make a hasty decision due to time constraints.

The JUDICIAL BOARD requested the USAC Election Board to issue a reasonable sanction in accordance with Election Code Article 11.3.5.a-d. After an admission of guilt from the USAC Election Board for failing to issue a sanction in #C59-S2018 for attempted voter coercion. Given Jack Price overturned a sanction decision, USAC Election Board has failed to issue a reasonable sanction in accordance with Election Code Article 11.3.5. A-d.

11.3 Penalties 1.”Violation of the above provisions may result in penalties imposed by the Election Board Chair. The penalties may range from suspension of all or part of a campaign to the campaign’s disqualification. The appeals procedure is delineated in Section 11.4 of this Election Code.” In accordance to the decision made by Judicial Board, Election Board failed to assign a proper sanction or disqualification for complaints #C59, C61, C62, C63, C64, C65, C66, C67, C68, C69, C70, C71-S2018 as stated in 11.3.1.

As cited in “Administrator involvement sways USAC Election Board against disqualifications” by the  
Daily Bruin, Election Board Chair Jack Price mentions influence by Kris Kaupalolo, election

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board's Student Organizations, Leadership and Engagement adviser. Price says that this swayed his decision. This is in direct violation of USAC's ability to be student run. Tina Daunt, mother of Bella Martin, has publicly claimed that she has contacted "various UCLA Deans and the mensch Zev Yaroslavsky." It is clear that outside influences have affected the clarity of the decision made by Election Board. UCLA administration does not have the capacity to make or sway decisions for Election Board. As stated in election code article 2.4.c USAC Election Board chair must maintain absolute impartiality in the administration and conduct of all elections. Given an admission of influence, by parties including Administration, Hazrah Et Al. find Election Board chair to be partial thus violating article 2.4.c of the Election code.

Notice of Findings for the Investigation conducted by Election Board were posted at 6:37 PM on May 15, 2018 and no announcements were made to the public in regards to the release of these documents. According to Election Code 11.4: "Election Board decisions may be appealed in writing to the Undergraduate Students Association Judicial Board. Initial petitions for hearing shall be made by 5:00 p.m. on the second (2nd) official school day following said decision." The Election Board did not provide ample time for students to file a petition as the Council meeting to swear in candidates began at 7 PM on May 15. This is in direct violation of Election Code 11.4

In accordance with 11.1.3., which stipulates that "In instances where there is an alleged violation of the University Rules and Regulations, the case may be referred to the appropriate University entity", the

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### **PART III: RAMIFICATIONS**

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By failing to adhere to USAC Election Code articles 11.1, 11.2, and 11.3, the Election Board has failed to uphold the fairness and integrity of the 2018 USAC Election Process.

By not issuing sanctions with ample time prior to the swearing in, USAC Election Board has failed to ensure a free and fair election, stripped the right to petition of the Undergraduate

Student Association Body and jeopardized the legitimacy of the 2018 USAC elections and thus making it impossible for proper sanctions to be incurred.

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**PART IV: REMEDY SOUGHT**

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Given the preponderance of evidence against several candidates, we seek for a reasonable sanction to be given in response to all complaints #C59, C61, C62, C63, C64, C65, C66, C67, C68, C69, C70, C71-S2018 filed by May 11th.

It is not an equitable policy to limit certain sanctions for no reason other than the alleged violations happened too deep into election's week to garner a reasonable sanction. If a reasonable sanction is not given to these complaints, a precedent will be set that future candidates have no incentive to follow the Election Code, because nothing will disqualify them.

Hazrah et al. encourages Judicial Board to recommend disqualification as a reasonable sanction to Election Board.

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**PART V: INFORMATION**

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Petitioner: Matthew William Richard  
SID [REDACTED]

Council: Ramneek Hazrah  
SID [REDACTED]

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**PART VI: STATEMENT OF AUTHENTICITY**

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By signing below, I hereby attest that the above information is true to the best of my knowledge. Furthermore, I have read and understand the Judicial Board Procedure (Rules).

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Respectfully submitted,

DATED: 5/15/18

Matthew William  
Richard  
\_\_\_\_\_  
Name  
Petitioner

DATED: 5/15/18

Ramneek Hazrah  
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Name  
Counsel for Petitioner