



# JUDICIAL BOARD

## UCLA UNDERGRADUATE STUDENTS ASSOCIATION

### MEMORANDUM FOR THE PRESS

FROM: Chief Justice, Jamail Gibbs  
DATE: November 10, 2019  
RE: Information: *USAC Request for Investigation into Officer-Elect Smedley*

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Information:

On November 6, 2019, the JUDICIAL BOARD received Petition for Consideration (No. 19-9) from The USA Council through USAC President Robert Blake Watson.

THE JUDICIAL BOARD would like to provide context concerning the state of the Association during our deliberations on the petition.

1. In addition to allegations of campaign violations raised by members of the USA Council, officer-elect Orion Smedley admitted to engaging in campaigning on the hill, which is generally understood to be expressly prohibited by the Election Code (Art. 8.2.4.a.ix). However, Smedley maintains that it was done in a manner permitted by the neighboring provisions of the Election Code. Given this admission, I, Chief Justice Jamail Gibbs, deemed it prudent to delay Smedley's installation until more information became available given the severity of the allegation in conjunction with the difficulty and impracticality of reprimand if found guilty of an egregious violation after assuming office.
2. In a truly unprecedented series of events, the Investigations Director of the USA Elections Board remains the only individual on the Elections Board Executive Committee. All remaining executive committee offices (Elections Board Chair, Vice-Chair, etc.) remain vacant with no clear answer as to whether the Board is legally operative. Additionally, the Investigations Committee, who, in consultation with the Elections Board Chair, would normally investigate and impose the appropriate penalties in such matters has a questionable capacity or willingness to conduct an investigation.

In summary, there exists allegations of an egregious violation of the Election Code, with a semblance of credibility given Smedley's admission, which, at minimum, requires some form of investigation to ensure the fairness and integrity of the recent special election. The USA Elections Board, who, in normal circumstances, would unquestionably assume jurisdiction over this matter, has been crippled by vacancies in all but one of its executive committee offices. Additionally, it is unknown whether the investigations committee has the capacity, or willingness, to conduct a thorough investigation into the matter. However, **The USA Judicial Board remains the only non-partisan USA institution that has acted in an investigatory capacity in the past ([2011 Birdie Investigation](#))**. Additionally, this Board has an obligation to elevate the exercise of its powers in times of crisis in the promotion of fairness, equality, and justice in the UCLA Undergraduates Students Association.

The JUDICIAL BOARD has GRANTED the Petition for Consideration (No. 19-9) on the matter of *USAC Request for Investigation into Officer- Elect Smedley* and will be formally ruling on the matter following an investigation.

The JUDICIAL BOARD will be acting in its capacity to rule on matters at the request of the USA Council (see USA Constitution Article VI, Section B, Clause II).

Following an investigation, conducted by either the investigations committee or the Judicial Board, The Judicial Board will rule on the validity of the alleged violation in addition to an appropriate remedy.

The Judicial Board would like to respect the investigation committee's jurisdiction to conduct this investigation under normal circumstances. As such, the Board will inquire into the committee's ability to investigate before formally moving forward. However, the Judicial Board acknowledges the possibility that the investigations committee is ill-equipped or unwilling to investigate the matter. In such a situation, the Judicial Board remains prepared to assume an investigatory role to fulfill its request to make a ruling under Article VI, Section B, Clause II if needed.

However, in the meantime, the Judicial Board retains the right to attain information related to the investigation in furtherance of the request under the aforementioned provision.

Feel free to forward any requests or concerns regarding this matter to [uclajudicialboard@gmail.com](mailto:uclajudicialboard@gmail.com)