



The UCLA Undergraduate Students Association Judicial Board:

Officer-Elect Smedley Investigation

Jamail Gibbs, Chief Justice

Ellen Park, Associate Chief Justice

Aniq Chunara, Justice

Shubham Gupta, Justice

Chief Justice Gibbs writing for the Board:

Background

On November 5th, 2019, the UCLA Undergraduate Students Association Council (USAC) convened for the first time following the conclusion of the 2019 fall quarter special election. I, Chief Justice Jamail Gibbs, was in attendance to administer the oath of office to the newly elected officers-elect. At the start of the meeting, multiple members of the Council raised concerns about the legitimacy of the election results given allegations of egregious campaign violations committed by officer-elect Orion Smedley. Specifically, allegations that officer-elect Smedley engaged in campaigning on the hill—activity generally understood to be prohibited by the USA Election Code—were made public. Additionally, Smedley gave credence to the allegations in their admission that campaigning did occur on the hill, but only in a manner permitted by the Election Code and relevant UCLA Residential Life guidelines.

Given the previously mentioned, the USA Council appeared resolute in developing a strategy to achieve the installation of the officer-elects uninvolved in the allegations. Additionally, the Council also sought to stall Smedley's installation until a subsequent investigation was able to uncover the facts of the matter, thereby validating the integrity of the election. Centrally, members of the Council, as well as I, did not want a reiteration of the spring 2018 USAC general election. In that election, an investigation into alleged Election Code violations committed by an officer-elect stalled the Council's installation for four weeks. Specifically, the Election Code required that all officer-elects be installed together instead of separately. Given the difficulty, and impracticality, of prosecuting Election Code violations post-installation, the seating of the entire Council was stalled until the investigation's conclusion. Similarly, in this case, the Association's officers deemed that, at minimum, an investigation was warranted to ensure the integrity of the election but wanted to avoid the collateral damage of stalling the installation of the uninvolved officer-elects as occurred in 2018.

Interestingly, days before the November 5th Council meeting, members of the Constitutional Review Committee (CRC) drafted an Election Code amendment to present at the November 5th Council meeting that would achieve this goal. The CRC is a standing committee—composed of USA Councilmembers—with authority to recommend changes to the Association's governing documents. After a lengthy discussion with the Council's administrative representatives about the legality of voting on the proposed amendment after the recent election's conclusion, the CRC's

Election Code amendment was brought before the Council for a formal vote. The amendment in question involved a change to *Article XII, Section I, Clause III* (Art. 12.1.3) of the USA Election Code—the provision prohibiting the individual installation of officer-elects. Namely, before its eventual change, the clause read, “The election results for all elected official positions may be certified separately from all propositions.” Conversely, the CRC’s proposed change allowed for the individual certification, or installation, of officers-elect.

Ultimately, the Council passed the amendment, thereby allowing for the individual certification of elected positions. Per the Judicial Board’s ruling in *Jackson Price v. Undergraduate Students Association Council*, the sole entities with the power to certify, and make operative, election results are the USA Elections Board and Judicial Board. First, the Elections Board must certify the election results. Next, the Chief Justice of the Judicial Board must approve certification through swearing-in the officer-elects. Finally, “all officer-elects shall become officially appointed or elected” (*Price v. USAC*).

Following the passage of the amendment to Election Code Article 12.1.3, Kyna Shajari, Chairperson of the Elections Board, was called to certify the election results by reading them into the minutes of the November 5th Council meeting. Shajari proceeded to certify the results by reading them into the minutes. Next, given the allegations involving Smedley, a finding that the disqualification of Smedley would affect officer-elect Broukhim’s positioning, and testimony from Councilmembers that the Financial Supports Commissioner-elect (FSC) needed to be installed for the provision of student services, I decided to individually swear-in FSC-elect Millen Srivastava. Following the conclusion of the November 5th Council meeting, and after a series of resignations, the Investigations Director remained the lone individual on the Elections Board Executive Committee.

On November 6th, 2019, the UCLA USA Judicial Board received a Petition for Consideration from USAC President Robert Blake Watson. The petition, submitted on behalf of the USA Council, requested the Board to exercise its powers under *Article VI, Section B, Clause II* of the USA Constitution (USA Const. Art. 6.B.2) to render a two-part ruling. First, the petition requested the Board to rule on the validity of the alleged campaign violations. Second, considering the ruling in part one, the petition requested the Board to rule on an appropriate sanction. On November 9th, 2019, the Judicial Board granted the Petition for Consideration (No. 19-9), *USAC Request for Investigation into Officer-Elect Smedley*. However, the Judicial Board elected to respect the Elections Board’s jurisdiction to conduct this investigation under normal circumstances by inquiring into the Investigations Director’s ability to lead the investigation before assuming an investigatory role. On November 13th, 2019, Samad Afzal, Elections Board Investigations Director, formally ceded the investigatory role to the Judicial Board, citing the disbanding of the investigations committee. Thereafter, the Judicial Board assumed an investigatory role in

the matter to fulfill its request to make a ruling on the validity of the alleged campaign violations under USA Const. Art. 6.B.2.

USA Constitution Article VI, Section B, Clause II, reads, “The Judicial Board may also question, comment, or rule upon other matters at the request of the Council or any member of the Association.” Given that Robert Blake Watson submitted the petition on behalf of the Council, is also a member of the Undergraduate Students Association, and requested the Judicial Board to rule on a matter concerning an officer-elect, the Board was well within its authority to accept the petition. Although the execution of an investigation and the issuance of a corresponding sanction concerning Election Code violations fall under the purview of the Elections Board, this was an unprecedented situation that required the Judicial Board to fill a void created by an Elections Board crippled by vacancies and a nonexistent investigations committee. Centrally, there existed allegations of an egregious violation of the Election Code, with a semblance of credibility given Smedley's admission, which, at minimum, required some form of investigation to ensure the fairness and integrity of the recent special election. Moreover, the USA Elections Board's impaired state established the Judicial Board as the only non-partisan institution capable of assuming an investigatory capacity (see *Birdie Investigation*).

Throughout the investigation, the Judicial Board focused on determining the validity of the Election Code infractions as outlined in the petition. As such, the Judicial Board summoned five individuals most relevant to the matter to provide testimony before the Board. The individuals summoned and questioned included: Robert Blake Watson (USAC President), Lalo Velazquez (USAC General Representative One and member of the CRC), Matthew William Richard (General Representative candidate), Kyana Shajari (former Elections Board Chair), and Orion Smedley (General Representative Two-elect). In addition to reviewing relevant testimony, the Judicial Board examined over 20 pieces of evidence submitted by the aforementioned individuals in reaching part one of its ruling. This document is a summary of the Judicial Board's findings and subsequent ruling. The remainder of this report includes the following: a pattern of fact regarding the alleged campaign violations, the Judicial Board's two-part judgment considering the pattern of fact, and recommended revisions to the Election Code.

Pattern of Fact

Orion Smedley is a third-year physics student, with no prior USAC experience, who was a candidate for the office of General Representative in the fall 2019 USAC special election. In developing their campaign strategy, Smedley sought to maximize the number of eligible voters reached, so they reviewed the Election Code for guidelines regarding campaigning in various areas. In their review, Smedley discovered *Article 8.2, Section IV*, titled, “Campaigning in Residential Areas.” Clause A of the aforementioned provision reads,

“In addition to the provisions of this Election Code, campaigning in UCLA On Campus Housing shall be governed by the regulations, definitions, and protocol outlined in the UCLA On Campus Housing Student Handbook. Any violation of the UCLA On Campus Housing Student Handbook will also be considered a violation of this Election Code.”

Additionally, Subclause VIII of the above clause reads, “Distribution of campaign material of any kind is prohibited with the exception of the posting allowances,” and Subclause III, of Clause A, outlines the exceptions by limiting the posting of campaign material to the following stipulations:

1. Residents may post campaign material on the door of their perspective room.
2. In order to post campaign materials Designated Campaign Representatives will be allowed one (1) of the following:
 - a. 14 posters no larger than 22” by 24” or
 - b. 47 posters no larger than 11” by 17”
3. These posters must be submitted to the Residential Life Central Office. If approved, they will be distributed throughout public areas as seen fit by the Residential Life. All Designated Campaign Representatives will have equal access to posting in the Residence Halls.

Given the above mentioned, Smedley believed that the Election Code authorized campaigning on the hill so long as campaign operations were in compliance with the UCLA On Campus Housing Student Handbook along with the above posting exceptions. At some point, Smedley accesses the USAC website, visits the Elections Board page, and clicks on a link titled “ORL Rules and Regulations.” In opening the document titled, “On Campus Housing Regulations,” Smedley was operating under the assumption that they were viewing the UCLA On Campus Housing Student Handbook referenced by the Election Code as providing for additional guidelines regarding campaigning on the hill. During the investigation, the Judicial Board discovered that the On Campus Housing Regulations document is either included in the housing handbook, as referenced by the Election Code, or the updated title of the handbook. Article D, Section 1 (Article D.1) of the On Campus Housing Regulations document, as accessed on the Elections webpage, is titled “Campaigning” and outlines several stipulations regarding campaigning on the hill. Most notable is a sentence that reads,

“Campaigning in the residence halls/suites is limited to resident student governments and undergraduate and graduate student governments only.”

Smedley, as a candidate for an Undergraduate Students Association Council office, believed this provision authorized campaigning on the hill for USAC candidates. Additionally, there is another section of Article D.1 that reads,

“Campaigning may occur in public areas, except dining areas. Campaigning may only occur on residents’ floors as part of a program sponsored by the Office of Residential Life or Residents’ Associations and in accordance with procedures determined by the Residents’ Association in each hall/suite.”

Given the above, Smedley went to the first floor of his residence hall, Sproul Hall, and asked for rules governing campaigning. The representatives then directed Smedley to Jada Anderson, the Assistant Resident Director of Sproul Hall. In a GroupMe conversation submitted by Smedley as evidence, Smedley identifies himself as a USAC candidate seeking to campaign in Sproul Hall, and Anderson gives Smedley approval to post campaign literature on the first floor of the hall along with lounge announcement boards. Jada Anderson also informs Smedley that residents can post flyers on their doors if they wanted.

In addition to seeking information from a residential life authority figure as suggested by the election’s governing documents, Smedley also sought clarification from Kyana Shajari, then Chairperson of the Elections Board, regarding the guidelines governing campaigning on the hill. While Smedley admits they do not remember precisely when they spoke with Shajari, testimony from both Shajari and Smedley suggests that the two had a conversation regarding campaigning on the hill before Smedley committed the alleged campaign violations.

According to Shajari, Smedley asked about the legality of campaigning on the hill during an Elections Board office hours meeting. Initially, Shajari informed Smedley that they did not think it was allowed and contemplated asking the Elections Board’s Administrative Advisor. Instead, shortly after, Shajari decided to look at the Election Code for an answer. Shajari then showed Smedley *Article 8.2, Section IV* of the Election Code titled “Campaigning in Residential Areas.” After reviewing the aforementioned section, specifically the introductory clause, Shajari informed Smedley that it appeared campaigning on the hill was allowed so long as candidates received approval from UCLA Residential Life. Shajari acknowledges that they may have misinformed Smedley about the legality of campaigning on the hill.

While the likely chronology is that Smedley met with Shajari first before reaching out to the Sproul Hall front desk, the Judicial Board cannot state this timeline as fact with the available testimony. However, with the evidence provided, the Board is confident that Smedley spoke with Kyana Shajari and Jada Anderson before engaging in campaigning activity on the hill. Smedley maintains that their campaigning was limited to Sproul Hall, done within the confines of the available guiding documents, and supported by statements from Shajari and Anderson.

Ultimately, evidence and testimony provided to the Judicial Board indicate that Smedley conducted all of their campaign operations on the hill per the accessi-

ble governing documents of the election in addition to statements made by figures of authority. Namely, Smedley operated on outdated documents that the USAC website presented as current, misinformation from Shajari and Anderson, and an Election Code fraught with glaring contradictions.

First, the “On Campus Housing Regulations” document Smedley accessed on the USAC website, to seek additional information about guidelines governing residential campaigning, is outdated but presented as being current and operative. Specifically, the link to the document is present on the USAC website on the “Elections” webpage, which hosts all documents relevant to the special election. In fact, at the writing of this report, one can still access the outdated On Campus Housing Regulations document by clicking on the “ORL Rules and Regulations” link on the Elections webpage. However, the updated document, accessible via hyperlinks on the old document, or through the UCLA Residential Life website, expressly restricts campaigning to undergraduate resident student government candidates only.

Given the previously mentioned, both Shajari and Anderson erred in not informing Smedley that campaigning on the hill is restricted to resident student government candidates. Namely, *Article 8.2, Section IV, Clause A* of the Election Code reads,

“In addition to the provisions of this Election Code, campaigning in UCLA On Campus Housing shall be governed by the regulations, definitions, and protocol outlined in the UCLA On Campus Housing Student Handbook. **Any violation of the UCLA On Campus Housing Student Handbook will also be considered a violation of this Election Code**” (emphasis added).

The current On Campus Housing Regulations document only allows for candidates of resident student government offices to campaign on the hill.

However, the Judicial Board would like to highlight the glaring inconsistencies of the Election Code regarding campaigning on the hill. Namely, *Article 8.2, Section IV, Clause A, Subclause IX* reads,

“Campaigning is prohibited on any University owned or managed living facility including but not limited to, University Apartments, Residence Halls, etc.”

While seemingly straightforward, neighboring provisions of the Election Code, such as *Article 8.2, Section IV, Clause A, Subclause III* reads,

“Posting of campaign material is limited to the following stipulations:

1. Residents may post campaign material on the door of their perspective room.
2. In order to post campaign materials Designated Campaign Representatives will be allowed one (1) of the following:

- a. 14 posters no larger than 22” by 24” or
 - b. 47 posters no larger than 11” by 17”
3. These posters must be submitted to the Residential Life Central Office. If approved, they will be distributed throughout public areas as seen fit by the Residential Life. All Designated Campaign Representatives will have equal access to posting in the Residence Halls.”

Essentially, the Election Code prohibits campaigning outright while neighboring provisions provide exceptions to the restriction, e.g., campaign material posting exceptions and the guidelines in the On Campus Housing Student Handbook.

The Judicial Board discovered that the Election Code’s contradictions concerning residential campaigning stem from the unfortunate reality that the current Election Code incorporates provisions from the outdated On Campus Housing Regulations document, which authorized USAC and GSA candidates to campaign on the hill. However, when the document was updated, the Election Code was not updated along with it to reflect the prohibition on USAC campaigning.

In summary, Orion Smedley was a USAC General Representative candidate in the 2019 fall special election with no prior USAC experience. Seeking to maximize the reach of their campaign, Smedley consulted an ambiguous and contradictory Election Code, an outdated extension of the Election Code governing residential campaigning presented as current, the Elections Board Chair, and the Assistant Resident Director of Sproul Hall. Smedley then conducted the totality of their campaigning operations on the hill in accordance with the previously mentioned.

Considering the pattern of fact, testimony, and evidence submitted to the Judicial Board, the Board moved to issue a two-part ruling on the matter as requested by the petition.

Ruling

A. Part One

The Board would like to reiterate that, throughout this investigation, to our subsequent ruling, the Judicial Board exercised its constitutionally-delegated powers under *Article VI, Section B, Clause II* of the Undergraduate Students Association Constitution as requested by the petition. The provision reads,

“The Judicial Board may also question, comment, or rule upon other matters at the request of the Council or any member of the Association.”

This Board first assumed an investigatory capacity in this matter to rule on the validity of the alleged campaign violations, as requested by the petition, given the unique circumstances outlined in the introduction of this report. Specifically,

the Board could not have rendered a ruling on the validity of the allegations without an investigation. Such an investigation fell squarely on the responsibility of this Board due to the unique circumstances. Next, as requested by the petition, the Board ruled on an appropriate sanction in light of the validity of the alleged violations.

The Board did not elect to utilize its power to selectively consider issues in a petition under *Article I, Section IV, Clause D* of the Official Rules of the Judicial Board. Thus, the Board issued a ruling on the validity of every alleged violation outlined in the petition. The vote totals reflect justices who were physically present at the time of official voting.

The justices present for official voting in part one included:

Chief Justice Jamail Gibbs
Associate Chief Justice Ellen Park
Justice Shubham Gupta
Justice Ranhita Bora

The Petition for Consideration (No. 19-9), *USAC Request for Investigation into Officer-Elect Smedley*, alleges Orion Smedley committed the following Election Code violations governing campaigning:

Election Code Article 8.2, Section IV, Clause A:

“In addition to the provisions of this Election Code, campaigning in UCLA On Campus Housing shall be governed by the regulations, definitions, and protocol outlined in the UCLA On Campus Housing Student Handbook. Any violation of the UCLA On Campus Housing Student Handbook will also be considered a violation of this Election Code.”

By a vote of 1-3-0, the Judicial Board finds Orion Smedley not in violation of the above provision. Although the Board recognizes the current document prohibits USAC candidates from campaigning on the hill, the USAC website presented the old document as current, and it is unreasonable to expect Smedley to possess knowledge of the updated document’s existence and guidelines. Moreover, Smedley should not be held accountable for a document that wasn’t reasonably accessible to the candidates of the election.

Chief Justice Gibbs: I am the lone affirmative vote in this matter. Given that there is no ambiguity regarding what version of the document is current and operative, it is abundantly clear that Smedley violated the above provision by campaigning on the hill. However, part two of this Board’s ruling is the appropriate space to consider the violation’s context.

Election Code Article 8.2, Section IV, Clause A, Subclause I:

“The Residence Halls will be defined as all areas governed by the Residential Life Office west of Charles E. Young Drive.”

The Board unanimously finds Smedley not in violation of the above provision given its nature as a definition.

Election Code Article 8.2, Section IV, Clause A, Subclause II:

“In the UCLA On Campus Housing Handbook, the term "campaigning" is defined as any display on the part of any person for the purpose of convincing other people to vote for or against a candidate, initiative, referendum, constitutional amendment or recall.”

The Board unanimously finds Smedley not in violation of the above provision given its nature as a definition.

Election Code Article 8.2, Section IV, Clause A, Subclause III, Point 1:

“Posting of campaign material is limited to the following stipulations:

1. Residents may post campaign material on the door of their perspective room.”

The Board unanimously finds Smedley not in violation of the above provision given that it pertains to a resident’s privilege.

Election Code Article 8.2, Section IV, Clause A, Subclause III, Points 2/3:

“2. In order to post campaign materials Designated Campaign Representatives will be allowed one (1) of the following:

a. 14 posters no larger than 22” by 24” or

b. 47 posters no larger than 11” by 17”

3. These posters must be submitted to the Residential Life Central Office. If approved, they will be distributed throughout public areas as seen fit by the Residential Life. All Designated Campaign Representatives will have equal access to posting in the Residence Halls.”

The Board unanimously finds Smedley not in violation of the above provisions. Evidence submitted, along with testimony from Lalo Velazquez and Orion Smedley, indicate that flyers were present on floor lounge announcement boards and the doors of some Sproul Hall residents. Additionally, evidence submitted suggests a poster was discovered on a resident’s door in Gardenia. The Board does not consider the flyers in Sproul Hall as “posters” referenced in the above provisions. Concerning the poster in Gardenia, Smedley maintains they didn’t post the poster

themselves but recalls giving a one matching the description to a friend. While this Board does not absolve candidates from responsibility for where their campaign literature is found, including posters, the Board acknowledges that the Election Code (*Article 8.2, Section IV, Clause A, Subclause III, Point 1*) allows residents to post campaign literature on their doors.

Election Code Article 8.2, Section IV, Clause A, Subclause IV:

“There will be NO campaigning on the individual floors including door-to-door campaigning, in person, or with printed material.”

The Board unanimously finds Smedley in violation of the above provision given that campaigning was done both with printed material and executed on individual floors.

Election Code Article 8.2, Section IV, Clause A, Subclause V:

“Campaigning in the dining facilities is prohibited.”

The Board unanimously finds Smedley not in violation of the above provision given that there is no evidence Smedley campaigned in any dining facilities.

Election Code Article 8.2, Section IV, Clause A, Subclause VI:

“Use of mailboxes is permitted only through the regular U.S. Mail's postage and distribution process. The public address system may not be used for campaigning of any sort.”

The Board unanimously finds Smedley not in violation of the above provision given that there is no evidence Smedley used the public address system, or a mailbox, as part of their campaign for USAC General Representative.

Election Code Article 8.2, Section IV, Clause A, Subclause VII:

“All posters must be removed and discarded within 24 hours after the election.”

The Board unanimously finds Smedley not in violation of the above provision given its irrelevance to the outcome of the election. Additionally, there is no evidence that all posters were not discarded within 24 hours after the election.

Election Code Article 8.2, Section IV, Clause A, Subclause VIII:

“Distribution of campaign material of any kind is prohibited with the exception of the posting allowances.”

The Board unanimously finds Smedley in violation of the above provision given that the Election Code does not include the distribution of flyers on floor lounge announcement boards in the posting allowances.

Election Code Article 8.2, Section IV, Clause A, Subclause IX:

“Campaigning is prohibited on any University owned or managed living facility including but not limited to, University Apartments, Residence Halls, etc.”

The Board unanimously finds Smedley in violation of the above provision given the overwhelming evidence, and testimony from Smedley, that they campaigned in Sproul Hall. Additionally, the poster found in Gardenia constitutes campaigning in a residence hall.

Election Code Article 8.2, Section VII, Clause C (“Prohibited Behaviors”), Subclause I:

“Willfully violating a lawful order from the Election Board.”

The Board unanimously finds Smedley not in violation of the above provision. Specifically, there is no evidence Smedley violated any order from the Elections Board. Instead, evidence and testimony indicate Smedley acted in accordance with statements made by the Elections Board Chair regarding campaigning on the hill.

Election Code Article 8.2, Section VII, Clause C, Subclause II:

“Intentionally falsifying information on any Election Board forms.”

The Board unanimously finds Smedley not in violation of the above provision. There is no evidence suggesting Smedley falsified information on any Elections Board forms.

Election Code Article 8.2, Section VII, Clause C, Subclause III:

“Registering similar party names to those already in existence.”

The Board unanimously finds Smedley not in violation of the above provision. There is no evidence Smedley registered a party name.

Election Code Article 8.2, Section VII, Clause C, Subclause IV:

“Obstructing an investigation by the Election Board.”

The Board unanimously finds Smedley not in violation of the above provision. There is no evidence Smedley obstructed an investigation of the Elections Board.

Election Code Article 8.2, Section VII, Clause C, Subclause V:

“Exceeding the campaign finance spending limits as defined in Article IX of this Election Code.”

The Board unanimously finds Smedley not in violation of the above provision. There is no evidence Smedley exceeded campaign finance spending limits as outlined in Article IX of the Election Code.

Election Code Article 8.2, Section VII, Clause C, Subclause VI:

“Placing any campaign literature on university property within the grounds of a university managed living facility. This shall include, but not be limited to, indoor and outdoor walls, waste receptacles, trees, public bulletin boards, and any other residential space. This item shall not prohibit the posting of literature inside rooms, including on windows, or on personal bulletin boards, provided in either case that the permission of the affected resident is obtained.”

The Board unanimously finds Smedley in violation of the above provision. Smedley’s campaign posted campaign literature on floor lounge announcement boards.

In summary, of the violations alleged in the petition, the Judicial Board found violations of the following Election Code provisions valid:

1. *Election Code Article 8.2, Section IV, Clause A, Subclause IV*
2. *Election Code Article 8.2, Section IV, Clause A, Subclause VIII*
3. *Election Code Article 8.2, Section IV, Clause A, Subclause IX*
4. *Election Code Article 8.2, Section VII, Clause C, Subclause VI*

Given the above verdict, the Board moved to issue part two of its ruling—determining a proper sanction for the validated Election Code infractions.

B. Part Two

The Judicial Board would like to preface part two of this ruling by outlining the available sanctions. The conclusion of the voting period limited the Judicial Board to issuing the following sanctions:

1. No sanction
2. Disqualification

The Board rendered part two of its ruling with the above in mind, along with its ruling in part one, and the context of the offenses.

The justices present for official voting in part two included:

Chief Justice Jamail Gibbs
Associate Chief Justice Ellen Park
Justice Dawson Khoury
Justice Shubham Gupta
Justice Ranhita Bora

By a unanimous vote of the Judicial Board, the Board rules on a remedy of no sanction concerning the validated Election Code infractions. As with all cases involving Election Code infractions, the context in which infractions were committed is a critical aspect to consider when deciding on an appropriate sanction. In rendering its verdict, the Board considered the following points of fact:

1. The Election Code is laden with contradictory provisions concerning campaigning on the hill by prohibiting it outright while outlining certain exceptions.
2. Orion Smedley has no prior USAC experience in any capacity and sought clarification concerning the legality of campaigning on the hill from then-Elections Board Chair Kyana Shajari.
3. The On Campus Housing Regulations document, referenced by the Election Code as providing additional guidelines concerning residential campaigning, was presented as operative on the Elections webpage of the USAC website for the duration of the election with no indications to suggest otherwise.
4. The outdated On Campus Housing Regulations document expressly allows for USAC campaigning on the hill under specific guidelines.
5. Orion Smedley conducted the entirety of their campaign operations on the hill in accordance with the guidelines of the outdated On Campus Housing Regulations document, which the Elections webpage presented as current, campaigning exceptions provided by a glaringly contradictory Election Code, and inaccurate information provided by Shajari and Assistant Resident Director of Sproul Hall Jada Anderson.

The Board also acknowledges receipt of photos showing Smedley and a group of individuals next to an inflatable duck, with campaign flyers attached to it, on the residential side of the De Neve crosswalk. Testimony and evidence submitted indicate that—following a day of campaigning on Bruinwalk—Smedley was simply walking to their dorm in Sproul Hall with campaign materials and was in the process of exchanging contact information with someone they met on Bruinwalk when

the photo was taken. The Board does not believe exchanging information with an individual while in possession of campaign material constitutes a violation of any Election Code provisions, nor does it believe such an action warrants disqualification.

Recommendations

In light of the Board's findings detailed in the pattern of fact, the Board recommends the following actions:

1. The immediate removal of the "ORL Rules and Regulations" link from the Elections webpage.
2. The immediate removal of all provisions in Article 8.2 Section 4 of the USA Election Code and the addition of a provision unequivocally prohibiting campaigning in all areas governed by the UCLA Office of Residential Life west of Charles E. Young Drive.

Conclusion

In closing, this Board's ruling represents the fairest and most just outcome given the pattern of fact. In this instance, a disqualification of the officer-elect would represent an endorsement of the ambiguous election guidelines that pose a barrier to entry in pursuing elected office and validate contemporary critiques of the Association's institutions as inaccessible to the student body. As the Undergraduate Students Association's governing institutions continue to welcome members from various backgrounds, it is imperative that the Association's institutions collaborate to ensure that everyone maintains equal opportunity to pursue elected and appointed office. Ultimately, this Board hopes that this case serves as a template for future terms of the Judicial Board to follow in their pursuits to uphold the tenets of fairness and equality in the UCLA Undergraduate Students Association.