

March 31, 2021
Elections Code Complaint

Plaintiffs: Frank Pauls, Sophie Chez, Arjun Rondla, Cohlton Kieffer, Clay Robinson, Ryne Bolick, Nate Anbar

Respondents: Konya Saidu, Al Shamari, **Daniel Lopez*

Elections Code Violations:

ABOR Student Code of Conduct

F. Prohibited Conduct

21. Engaging in discriminatory activities, including harassment and retaliation, as prohibited by applicable law or university policy.

ASASU Elections Code

6-4.1 Any candidate or campaign staff member who intentionally destroys, removes, steals, defaces, or damages physical campaign or non-campaign materials (See Chapter 13 GLOSSARY for definition) shall be disqualified or cause the disqualification of their affiliated ticket to the discretion of the Elections Commissioner.

5-1.5 Campaigning on any website that is hosted on a server outside of Arizona State University is still subject to the rules and regulations of the Student Code of Conduct, the USG Constitution, and the USG Elections Code.

Summary:

On March 30, 2021, a series of Twitter and Instagram posts were published under an account titled “Don’t Vote For These USGT”. The posts depicted the Better, Bolder, Brighter digital campaign materials intentionally defaced and full of libelous slander against ourselves.

Each post included a vandalized picture of the candidate and libelous summary of their past affiliations and political beliefs. To view each candidate’s post, click [here](#).

According to the Chapter 13 of ASASU Elections Code, virtual election material is defined as “Any online materials or services used, provided, or published with with the intention of soliciting votes including, but not limited to, websites, online chat rooms, group chat services, online promotional services, emails, online service subscriptions, and social media posts owned and/or affiliated with a campaign”. The Better, Bolder, Brighter graphics are within regulation with this definition.

According to the evidence provided, the Twitter and Instagram accounts were created for the sole purpose of defacing our virtual election material. The post also edits our images and virtual campaign material to make the material less visually appealing and including information untrue and taken out of context of our candidates. This action itself would break ASASU Elections Code if it were another candidate posting the material, since 6-4.1 states “Any candidate or campaign staff member who intentionally destroys, removes, steals, defaces, or damages physical campaign or non-campaign materials shall be disqualified or cause the disqualification of their affiliated ticket to the discretion of the Elections Commissioner.”

In addition to the defacement of destruction of our virtual campaign materials, the respondents of this case also violate Chapter 5-1.5 of the ASASU Elections Code, which states, “Campaigning on any website that is hosted on a server outside of Arizona State University is still subject to the rules and regulations of the Student Code of Conduct, the USG Constitution, and the USG Elections Code.” The respondents engaged in discriminatory activity, harassing every member of the Better, Builder, Brighter Team by engaging in targeted cyber attacks. This is a violation of Section F, Subsection 21 of the ABOR Student Code of Conduct, which prohibits discriminatory activity.

**While this is primarily an Elections Code complaint for candidates in this cycle, we are also including Mr. Daniel Lopez’s actions are relevant to the case given his position as Senator for the College of Liberal Arts and Sciences.*

On the morning of March 30, Mr. Daniel Lopez messaged Mr. Frank Pauls and Ms. Sophie Chez on Instagram asking for a full size render of our campaign materials, misleading Mr. Pauls into thinking he was a supporter of our campaign. Those materials were then used to deface both Mr. Pauls and the entire team of the Better, Bolder, Brighter Slate. You can view this exchange by clicking [here](#). These actions by Mr. Daniel Lopez are concerning, especially since Mr. Lopez serves as a current USG Senator and members of our slate are Mr. Lopez’s constituents. While Mr. Lopez is not involved in this year’s USG Elections, Mr. Lopez’s involvement provides important context and is worth investigation by the Office of Student Rights and Responsibilities for possible ABOR Student Code of Conduct Violations, specifically Section F, Subsection 21 that prohibits discriminatory activity, including harassment.

Following the creation of the Twitter and Instagram accounts and the posting of our defaced materials, Konya Saidu used her Twitter account to promote the defacement and further add that the information was “very informative”. This behavior would qualify as an action described in previously mentioned 6-4.1 of the ASASU Elections Code.

Furthermore, a follow-up tweet that Konya made after the first image revealed that she admitted to engaging in cyber bullying “the worst people that attend the university”, which is clearly a reference to and the members of the Better, Bolder, Brighter Team.

Additionally, Al Shamari also engaged in similar activity, engaging with our defaced materials by liking the posts. The evidence for Koya Saidu and Al Shamari’s actions can be found by clicking [here](#).

Not only do these actions violate 6-4.1 of the ASASU Elections Code, but it also qualifies as a level three violation, or immediate disqualification, in accordance with 2-2.1 of the ASASU Elections Code which states, “A blatant violation of the Student Code of Conduct as explained in Chapter 8-10”. In Section F, Subsection 21 of the ABOR Student Code of Conduct, it clearly states that students are prohibited from, “Engaging in discriminatory activities, including harassment and retaliation, as prohibited by applicable law or university policy.” These actions should easily apply to this subsection, and if the actions didn’t speak for themselves, then Konya Saidu fully admitted to engaging in this type of behavior that damages the reputation of her fellow students.

This complaint reaches beyond the ASASU Elections Code, as the respondents willfully and intentionally engaged in targeted harassment against their peers and for some, their constituents. We urge the Elections Commission to charge the respondents with one (1) nine (9) point Level 3 penalty for violation of the ABOR Student Code of Conduct and two (2) six (6) point Level 2 penalties for the destruction of virtual campaign materials and hosting discriminatory content on a server outside of ASU that is still subject to the ASASU Elections Code and the ABOR Student Code of Conduct. We also ask the Elections Commission forward this complaint to the Dean of Students, Dr. Cassandra Aska and the Office of Student Rights and Responsibilities to begin an investigation into the targeted harassment of several students, which should not be permitted to stand.