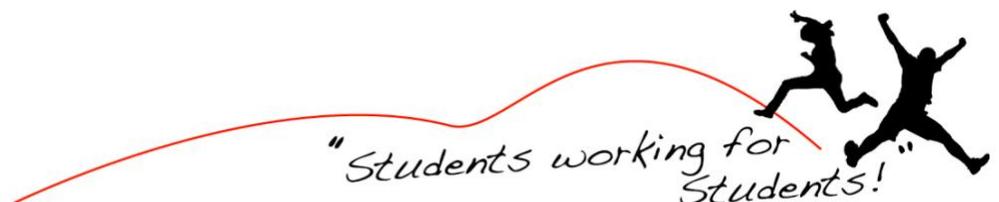


## Elections Committee Special Meeting Minutes March 28, 2019

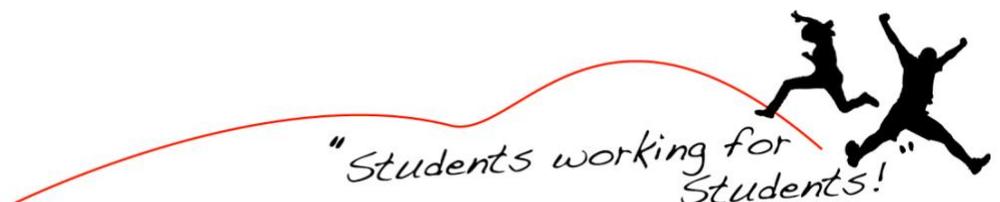
- I. CALL TO ORDER at **12:31 PM**
- II. ROLL CALL  
**Present:** Bomani Howard, Imani Davis, Masoud Hamidi, James Carroll, Erik Pinlac  
**Absent:** Khushboo Malhotra, Marguerite Hinrichs  
**Late:** James De La O
- III. ACTION ITEM - **Approval of the Agenda**  
**Motion** to approve the agenda by **M. Hamidi**, second by **I. Davis**, motion **PASSED**.
- IV. ACTION ITEM - **Approval of Minutes March 21, 2019.**  
**Motion** to approve the minutes of March 21, 2019 by **M. Hamidi**, second by **I. Davis**, motion **PASSED**.
- V. PUBLIC COMMENT – **Public Comment is intended as a time for any member of the public to address the committee on any issues affection ASI and/or the California State University, East Bay.**  
**K. Dhillon** states that it has come to his attention by the Executive Director of ASI that there have been instances where the recordings have been turned off and turned on. He said to his knowledge, it is not permitted at all. It's supposed to be recorded full on and not stopped at all. Also, he adds that several grievances have been submitted and asks the committee to take the issues seriously. **E. Pinlac** adds that there isn't an official policy to turning the recordings off. Although, he has asked the committees to not turn it off in the future except for closed off discussions. **I. Davis** states that there were multiple meetings where it was just a miscommunication about the recording turning off and on. **S. Saquee** adds that the Elections Committee has been taking the grievances seriously, but they cannot respond immediately until they have a full statement to make. **Desiree Cuevas** brings up the ASI Instagram post and why only one of the Instagram post about the candidate was reposted instead of all the candidate. **E. Pinlac** replies the Instagram post of the candidate was reposted because the last name of the candidate on the original post was misspelled. **I. Davis** wanted to clarify that when working with an Instagram post, you can only edit the caption, not the picture. **Desiree Cuevas** adds that for future references, if they are going to tag people on the posts, tag everybody and not just certain people.  
**4:51**
- VI. UNFINISHED ITEMS



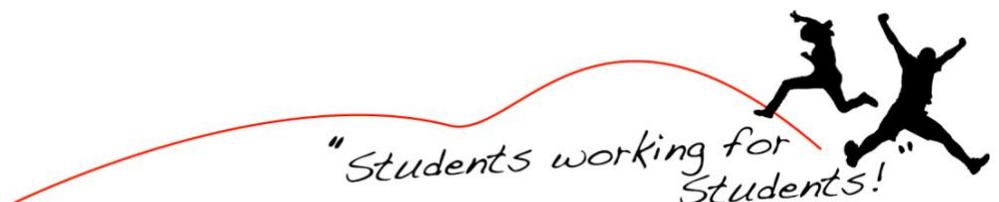
- a. DISCUSSION ITEM- Marketing Updates- (Khushboo and Imani) 15mins  
**I. Davis** states that for marketing updates, right before the elections, they did go back and rewrote all the pictures and videos. They tried to get it all done before the election date, before people starting voting so that they would know who to vote for. They will work on marketing for the next section of the election.

5:32

- b. DISCUSSION ITEM- Campaign Violations/Grievances (Erik and Masoud) 20mins  
**J. Carroll** states they have pulled all the grievances from Bay sync to Google Form. Some of the grievance by design would fall under the reprimand category, which is written warning; things that are on the lower level. If there is multiple relating to candidates or slates, then those would be a formal hearing. At the formal hearing, the folks that have the grievance against them would have the opportunity to be in the room during the hearing process. He asks everyone to look over the grievances and if they feel like it is more of a formal reprimand, because they still have run off and elections are continuing, for any that hasn't been given the reprimand, they want to make sure they are able to move forward with that. He adds that they can't have a formal meeting today because they would like the other folks to have an opportunity to show up, if they would like. He suggests identifying a couple hours of time to schedule it, to make sure there is enough time to notice it. He adds that the Election Code does say that if there are multiple ones that are similar in nature, it can be heard as one grievance hearing. He asks to look through the grievances and identify if it is a reprimand or a formal hearing. **E. Pinlac** adds that the grievances are not in any specific order, they are just up there. The first one is when **Desiree** filed a grievance for the lawn signs. His understanding was that they were waiting on the facilities to get back to the Election committee on it. **E. Pinlac** said he emailed the Director for Facilities for Grounds, who mentioned that as a committee in the future, to put out notifications. The Director could not confirm if it was removed by them as of right now, but he said he would talk to people that cut the grass to verify it. He adds that he did notice where the signs were removed, fresh grass and tire tracks. He said he can call the Director after the meeting to verify it. **M. Hamidi** adds that the grievances for some people are the same issue. He adds that the next one is not related to complaint; it was more of a concern that Robyn Perry had, which **Sia** responded to. **S. Saquee** asks to clarify the concern. **M. Hamidi** said Robin had sent an email regarding her personal opinion of the elections and how she felt about it. She felt the election committee wasn't doing their jobs and there wasn't enough people running. **J. Carroll** said one of the concerns was that there were too many people running unopposed. They replied that they can't control the number of candidates. He adds that the other one was that she was criticizing many of the folks that were running for Sustainability. He adds that they can't control who applies based on their interest and there's no sustainability qualifications. **E. Pinlac** said in the future, they can target marketing positions for things like that. He said



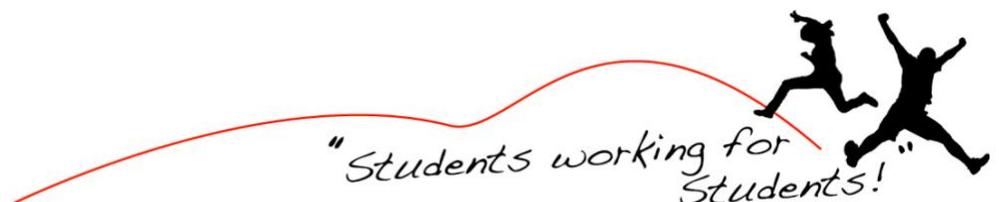
it's difficult because they just put the application out and people just apply. **S. Saquee** adds that the qualifications to be a candidate are not that specific. It just depends on if you are matriculated student and if you are clear of conduct check. Those are some of the things she added in the response to Robin. **E. Pinlac** said the next grievance was done by Patricia Regalado. She filed a complaint about being kicked out of a group meeting message. He said he asked Imani to look into it. **I. Davis** states that after she spoke to the President of the African Student Associations, which is the actual name of the group. It was made clear that only one of those people added to the group by the President. She had no knowledge of what was going on so she couldn't give much feedback. She just saw in the group message that one person was added, and then another was added. Then two people were kicked off, but she doesn't know anything about the whole thing. Only one of the people added to that was supposed to be added because she (the President) knew that person. She adds that **Kabir** was the only person added that she knew. She said they have to make clear that the group meeting does not guarantee membership to the group. She adds that the President clarified that **Mahdi** is a member, but he's not exactly a member who has constantly been part of the group. **S. Saquee** adds that they discussed this item last meeting and they decided as a committee that this is mostly a Student Life issue as well as African Students Association to deal with. Not necessarily the ASI Elections Committee. **E. Pinlac** states that they are following up with Student Life. He said Student Life concern could eventually go to conduct and not necessarily be elections. He adds that it's not necessarily that nothing is going to happen. **J. Carroll** said that since Marguerite isn't here, he isn't sure what level of conversations she has had with the organizations yet. He adds that this was left for the next step; Marguerite was going to talk to the organization, specifically around the issue of the access to student organizations by any students. He said whether they are using Group Me or any of those things. He said any organizations can set their pieces there, but Marguerite was following up in terms of that piece and letting him know if there is any formal conduct action to move forward. **I. Davis** said to put the difference of how they can actually decide on what to do with this. She adds that it says "It felt I was being hindered for being involved in campus activities to connect with my fellow students." She agrees that what Mahdi did was unethical, but she does feel that it kind of hinders it by talking to other students in the Group Me. She adds that Group Me is not exactly a club; it would be different if they actually kicked him out of an event or something to do with campus activity or from talking to other Black students' part of this club. She said that would give a different aspect then the Group Me type of thing. **S. Saquee** said she thinks that they should let Student Life determine it. **J. Carroll** said the next grievance was similar to Kabir, and kind of the same issue. He said they decided to move it over to Student Life and let them decide. He said the next grievance is from Karen Parada; she was asking about the signs. He adds that the issue was resolved. He states the next one is from Desiree Cuevas. The formal grievance was filed and forwarded to Erik. It was regarding the bulletin in housing. **J. Carroll** said for the sign in the elevator, they followed up with housing and



they have explored on the cameras. He said he didn't know where all the cameras were but he said he followed by to see if they could provide any footage to see any of the area's leading up to the space to determine who could've hung the no sign or the person. He said they went through a 3-4 hour window of footage and they couldn't find any person hanging the flier. He said he thinks the challenge with this one is other than sending something to the slates for formal reprimand; they don't have a definite proof of who hung it. He said it's part of the conducts of evidence and the 50-50 line of reprimanding the folks. **E. Pinlac** said he could provide a reprimand regardless of who posted it. The only thing they would be looking at is if another candidate from a different group had posted it. As of right now, the posters are in there. **M. Hamidi** states that it says in the Elections Code that even if they are your slate, you are responsible for your teammates and slates. He said he doesn't see anyone else doing it since it is advertising for someone else's slates. He thinks a reprimand would be a good baseline code to reprimand somebody because they represent their slate and the slate should know better. **I. Davis** asks if a reprimand will be given to all people in the slate, each individual. **E. Pinlac** said that's why being in a slate is given, it's good for marketing and personnel, but the bad part is that if one person gets in trouble, everyone gets in trouble. **S. Saquee** said they need to make a decision, are they going to reprimand? **M. Hamidi** said based on the election code, he would say yes, it needs to happen because yesterday when he was walking by the science building, he saw more posters posted. **J. Carroll** said he approves of that. **E. Pinlac** said they should official vote.

**Motion** to approve the reprimand of Transform East Bay for having their flyers in some of the Tamalpais elevator, by **J. De Lao**, second by **M. Hamidi**, motion **PASSED**.

**J. De La O** states that that grievance has been closed. He said the next grievance is from Desiree Cuevas about the ballot. He said the update on this one was that they were partnering with housing. The Director of Housing provided some stills and videos, which shows the described two individuals walking on multiple floors and stopping people. He said you can't hear what is being said in the video footage, but it is pretty clear, based on other allegations of approaching the door and having a conversation. He adds that it shows they were basically scaling the building, going door to door. He adds that not knowing what they said, it all fall under the line with the allegation. He said his recommendation of the group, because it is part of a bigger number of grievances around the campaign violations in two areas. One is campaigning in housing, but then the allegations, using their own devices, which we made very clear, to not only candidates in the mandatory sessions, but in email follow-ups to all the candidates that talked about specifically polling. He adds that there is the solicitation issue in housing, but then the other side is that you become a polling station when you give your device, outside of us doing that for tabling. **S. Saquee** said for clarification, the grievance does not state that they need a polling station; it states they asked Desiree if she has voted. **J. Carroll** said that one alerted them to tie in, with the other complaints; it all falls under the same larger one. He adds that the same individuals and the same slates have been multiply accused of



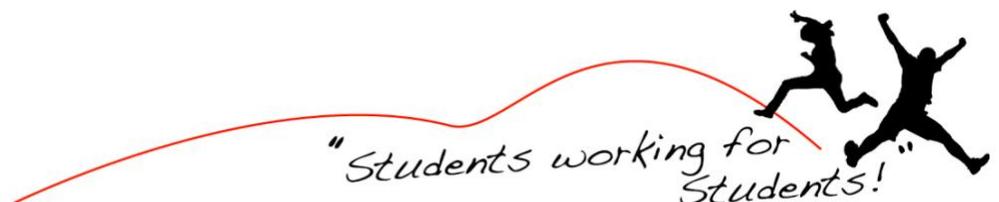
the polling violations. **E. Pinlac** said the policy says: the candidates cannot be within 15 feet between polling stations and candidates or worker. **I. Davis** asked that it said she asked if they were part of Transform slate, she's not sure if they didn't answer, would they use that against the slate or would they use that against just one person **J. Carroll** said that's why he suggested tabling this one because there's other allegations that tie the slate directly, but they don't have the names of the person that handled the devices. He said it could've been the same two from this or it could've been other folks, so that's why this has to be in the collective. All four of these should be against the same slate because the action of one candidate in the slate becomes the action of all candidates in the slate. He said the grievances came in on different dates, but they were all on the same days of polling. **E. Pinlac** said the group can have a formal hearing that is outside of the committee meeting, so they would just discuss the hearing and both sides of the grievances.

**Motion** to table this item by **J. Carroll**, second by **M. Hamidi**, motion **PASSED**.

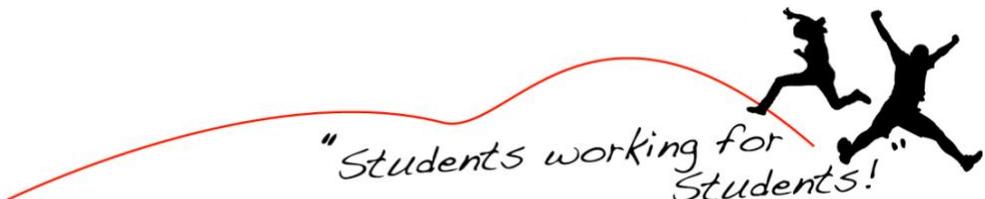
**S. Saquee** said they will move on to the next grievance. **M. Hamidi** said the next grievance is from Chelsea that the email said "I was walking towards the Valley Business Technology walkway today and some of the candidates from Empower East Bay and Involve East Bay, I believe their names were Kabir, Desiree and Brittany, they were forcing him to select the names from their personal devices as they had a link to Bay sync, to cast a vote ready. So I told them I did not wish to vote at that time, however, they kept insisting me to vote right then and there. I said thank you, I will vote when I have a chance later on today. This is unacceptable behavior as a candidate running for ASI, they should be understanding that allegedly forcing students to vote like that is not right, as it jeopardizes my ability as a student to choose a candidate that I feel I voted for. I plan to head home to read each candidates personal bio, then make my selection, in which now I get the chance to vote myself. Please take action immediately as I feel other students should not have come across this." He said this is clearly a violation. **J. Carroll** suggests that because the allegation is around a pressure to voting and giving a device, this should also be a formal hearing so that folks can have a chance to respond so that the complainant can ask questions and then the respondents can answer questions.

**Motion** to table this item by **M. Hamidi**, second by **I. Davis**, motion **PASSED**.

**J. De La O** said the next one is from Mahdi Fugfugosh, which read, "on Monday morning, I came into the ASI office, I asked the front desk who was the student sitting and waiting in front of ASI. I was told that this was a new Senator of Athletics. I then told her Jocelyn you are a part of ASI, you do not have to wait outside. I then asked her what brought her here today and she told me that Daisy and she was confused because Daisy had asked her to endorse her and her slate for elections, but she was confused on whom to endorse because multiple slates followed her on her Instagram this past weekend. Then Daisy came into the office and took Jocelyn to the balcony and finished the conversation there. This concerned me because not only is endorsing not allowed for ASI elections, but board members can also not use a ASI resources for campaigning



gains, which Senator of Athletics is part of ASI and then it took place on the balcony next to ASI, using ASI space as a resource. In addition, Daisy and Kabir were the only people who were at Jocelyn's interview and hired her. So, they are using their higher position and power over Jocelyn to get votes." **E. Pinlac** said they would need much more information, he just saw it today so he needs to reach out to Jocelyn and the people involved, and also the front desk team. He said he can follow up and look at staffing and reach out to the senator to see the situation. He recommends pending the investigation and coming back to it. **M. Hamidi** said the next grievance is again from Chelsea Trinidad which said, "I was in my Writing about Literature class and I received a text message from Adelisa who is a candidate for ASI under the Innovate asking people to vote for her slate and also in the message, she had a candidate running on a different slate, Siri Osborne, who was under Transform East Bay slate. I was told slates cannot interfere with another one and Adelisa's interfering with Transform East Bay campaigns." **I. Davis** said it seemed like individual support, just texting a friend, but she not exactly understands if the slates are working together is what the grievance is on. **J. Carroll** suggests that there is some vagueness and potential assumptions which needs clarity from Chelsea. **I. Davis** said she just lists the name, she doesn't specify what actions they wanted you to take. **M. Hamidi** said the next two are from Tim Crossby. The first one was that he was at Taco Bell and at the University Union; there were posters for Adelisa for President. He said that that's places that you can't post. The next one said he was at the cave on the 9<sup>th</sup>, he noticed on the first day of campaigning when he returned on the 26<sup>th</sup>, his posters were no longer there and somebody else had replaced the whole slate. **M. Hamidi** said he had class there and it wasn't just that. There were posters on the first and second floor and he had to go and remove them again, after the first time removing. Even though those words are not clearly used, they should know by now. He said he thinks you are allowed to put up poster in the cave on the very first board. **E. Pinlac** said he needs to map out the locations of where they are referring to because this still relates to another one. He said we need to follow up with them and let them know that their posters have been removed. He said they responded to the complainant about it, but they did not reach out to the slate. **E. Pinlac** said they will look at how the boards are labeled and marked and will make the decision on that at the next meeting. **J. Carroll** reads "Transform East Bay, Mahdi slate followed me on Instagram and immediately blocked me from their social media because he saw that I was promoting Empower and Evolve East Bay, two sister slates. I personally do not feel comfortable with them doing this because I'm a student at East Bay and that did not make me feel welcomed at all. How are they running for positions on ASI when they block East Bay students? If they win, am I supposed to have my guard up the entire time until I graduate. If they want to serve the students, why are they blocking the students? As you can see in the attached photos, I'm able to see hashtags of Transform East Bay, but not their slate account." **I. Davis** said this is unethical conduct, but because it's a social media and that page is not exactly linked to ASI or linked to the school. She said she is not sure how far they can go into it. She said that if this is a

  
"Students working for Students!"

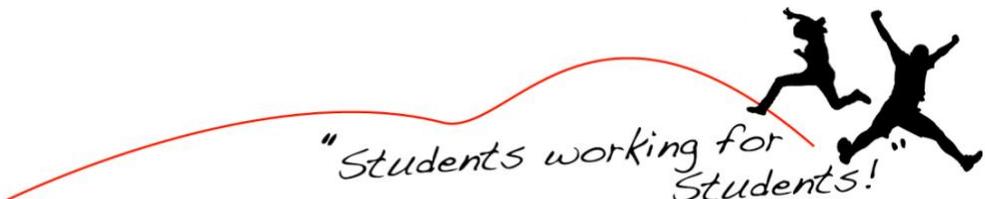
personal thing, then they would say it is a grievance. **E. Pinlac** said that with some of the grievances, some of the policies are inadequate regarding social media. He said it's distasteful, but there is nothing against it in the documents. He encourages the committee to put more social media emphasis in the policies in the future. **J. Carroll** said this needs some follow-up. He recommends updating grievance and elections policies relating to elections. **E. Pinlac** suggests adding into the policy, if they are going to have public pages, then it should be open to public and no blocks. **J. Carroll** said that whole process is a form of censoring another slate. He asked if that was a violation. **E. Pinlac** said not necessarily. **S. Saquee** said they are going to investigate further and follow up on it. **J. Carroll** reads "As Mark Almeida instructed me submit a grievance myself. I was notified that on Monday, March 25<sup>th</sup>, 2019, from 8:30-10pm. The individuals from Transform East Bay were harassing the residents, and RAs Joshua Castillo and Brittany Malone of University Village were going door to door and asking people to vote at the spot for Transform East Bay and Revive. This clearly violates elections code and student conduct."

**Motion** to table this item by **J. De La O**, second **I. Davis**, motion **PASSED**.

**J. Carroll** said the next grievance is by Karen Parada, "I was in the library getting snacks from the HOPE Kiosk and I noticed that there were flyers for Louis's campaign. Yes, the HOPE Pantry might have allowed this, but it is still in the library, which is not a campaigning ground. Let's also take into consideration of Louis's ties to the HOPE Pantry, this wasn't a coincidence. Please feel free to verify my to the HOPE Pantry, I had a cliff bar and an apple." **M. Hamidi** said that if they get permission from the department then it is okay. **J. Carroll** said it can be the fault of the reprimand. He said this is one of the instances where they have to table their policy because the way it talks about campaigning in the library, it implies going up to people while they are studying, similar to going door to door in housing. He said they need to clarify the policy because it can be interpreted either way.

**Motion** to extend for 15 minutes by **I. Davis**, second by **M. Hamidi**, motion **PASSED**.

**J. Carroll** said the grievance was submitted by Angelica. It said, "I entered Juniper housing building with my boyfriend. As soon as we walked in, we were asked by an individual if we had already voted for the ASI elections yet. This person was Leonardo Tellez and Mahdi Fugfugosh, both running for a position in these elections. The person asked if I had voted and I said yes, but my boyfriend had not. The guy then asked my boyfriend to vote on his phone and all he had to do was login already. As my boyfriend was voting, the individual was standing over him telling him to vote for Mahdi for President Position and Leo for the Director of Programming position, and continuing to stand there until he had clicked their names. It felt super manipulative that the person was making my boyfriend vote this way since he did not even have a voice in who he should vote for. Once we were finished with, we left, but we could see that they were sitting in the lobby waiting for people to come in and doing the same thing that happened to my

  
"Students working for  
Students!"

boyfriend and I.” **J. Carroll** said they followed up with Angelica and Hector. He said they will be added to the bigger meeting.

**Motion** to table this item by **J. De La O**, second by **I. Davis**, motion **PASSED**.

**J. Carroll** states the next grievance was submitted Paulina Bruman, who asked, “what is this group chat and why am I added on this? And I asked a second time and mentioned that I did not appreciate it and I’d rather want to be contacted via email and not text message. I do not who sent it since I do not have them in my contacts. I also don’t recognize or know everyone that was added.” He adds that they need more background on that. **S. Saquee** states they have pictures of the group chat.

**Motion** to table the item by **J. De Lao** second by **M. Hamidi**, motion **PASSED**.

**J. Carroll** states the next grievance was submitted by Patricia. He states that it is the same grievance as Kabir so it’s already under investigation.

**Motion** to table the item by **M. Hamidi**, second by **I. Davis**, motion **PASSED**.

**E. Pinlac** asks to have a template to prevent inconsistencies. **J. Carroll** said it is important to pick a date and time so that everyone can be present.

**48:56**

## VII. NEW BUSINESS ITEMS

### a. DISCUSSION ITEM- Update on Voting(Erik and James)

**E. Pinlac** said they would screen the actual votes to make sure they are valid. He states there were 1,631 votes. He said as of right now, they are going to hold off because of the amount of grievances, until next week. He said the issue is that they might have to postpone run-offs. **J. Carroll** recommends having the hearing after spring break because some of the individuals might be out of town. **S. Saquee** said they should release the votes for transparency sakes so the students know the outcome of their initial votes. **E. Pinlac** said they could do that but he wants to take out ineligible voters first. **J. Carroll** said if all states were disqualified and they won, how that would feel for the individuals that were pulled off. **S. Saquee** said she understands the releasing the votes now would get messy. **I. Davis** said the messiness can get backfired.

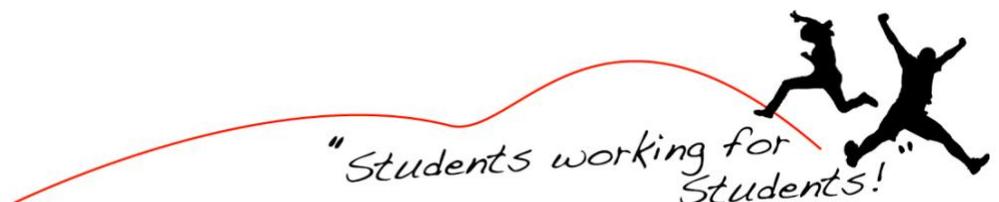
**Motion** to vote to release tentative results by **M. Hamidi**, second by **B. Howard**, motion **DENIED**.

**J. Carroll** objects. The vote for releasing tentative results was a tie. **S. Saquee** breaks the tie and votes in favor of releasing the results.

**58:48**

## VIII. ROUNDTABLE REMARKS

**B. Howard** said an option for selections in the future was to make it impossible to make multiple selections, in regard to the ballot. **E. Pinlac** recommends putting it in the next agenda. He said he is working over spring break and if they results come in during those times, then he will release it to Khushboo. He announces that the grievance timeline has been extended for grievances and run-offs and the due date is the 12<sup>th</sup> of April. **I. Davis** asked if



these grievances get out, since there's people are sitting in, is there a way to not talk about the grievances outside of the meeting? **J. Carroll** answered that public meetings are public meetings so the content can't be confidential, however, the behavior of anyone that listens to the meetings or participates in the meeting, is interfering with a grievance process, if they are a candidate, they can face charges, or if they are a student at the University, they can face student conduct. **I. Davis** asks is there anything they can say if candidates have questions about grievances, or can they say I cannot speak about this? **E. Pinlac** said that you can refer them to the ASI Elections email. E. Pinlac said he does not want members speaking outside of the committee because they are one committee, one voice, and not individual voices.

IX. ADJOURNMENT at **1:35 PM.**

Minutes Reviewed by:

**Committee Chair**

Name: Sia Saquee

Minutes Approved on:

**4-25-19**

Date:

