

MINUTES of a meeting the McMaster Students Union Electoral Appeal Board, held on **February 28, 2014** at the hour of 10:00 am local time, Boardroom, Room 201, McMaster University Student Centre.

Present: Ms. Helen Ayre
Ms. Maria Daniel
Mr. Nibaldo Galleguillos

Other Present: Ms. Jessica Bauman, Administrative Assistant

Called to order at 10:02 am

10:02 am – entered closed session.

10:47 am – returned to open session and candidates were invited into the room.

- Teddy Saull, Jacob Brodka, Aaron Morrow, Jacob Klugsberg, Lindsey Huff, Michael Wooder, and Anna D'Angela entered the meeting.

REPORT PERIOD

- Brodka stated he would not be presenting to the EAB if he were not certain that Mr. Saull should be disqualified. He stated that there was evidence that Mr. Saull broke a number of election rules and compromised the integrity of the election, skewing the results in his favour. Brodka intended to demonstrate why Mr. Saull should be disqualified.
- Ayre asked if Mr. Saull had a copy of the document circulated.
- Mr. Saull had not received any documentation from Mr. Brodka.
- Brodka presented new evidence from the way the Elections Committee (EC) voted on the disqualification. The EC was divided 50/50 on the disqualification. When EC made this decision, it was based on inaccurate information they had been provided. The EC was led to believe that campaigning in residence was allowed if the candidate had a student with them, and that was not correct. Brodka felt that was grounds for Mr. Saull to be disqualified. Brodka stated that given the marginal difference in the number of votes between Mr. Saull and himself, the EAB should take the influence Mr. Saull's team had on the election into consideration.
- Klugsberg stated that Mr. Saull had great connections in residence, and Mr. Saull and his team used those connections and relationships to knowingly, and deliberately, break residence and MSU election rules. Klugsberg stated that there was evidence that rules in residence were not enforced equally. Community Advisors (CAs) on Mr. Saull's team were giving unfair advantages. Mr. Saull and his team used their positions of power to break rules deliberately and hide these infractions. Mr. Brodka's team, on the other hand, were public on the events they attended in residence. Mr. Brodka participated in a residence crawl, meeting with first year hosts and saying in the lobby of each building. Mr. Brodka and his team were constantly being monitored and policed by CA's on Mr. Saull's team during the entire event. Klugsberg stated there was evidence that Mr. Brodka was not only monitored and policed by CAs on Mr. Saull's team, but also that these CAs were telling students to not attend the event, or encouraged to leave the event early. Klugsberg noted there was evidence that Mr. Saull and his core campaign team attended a coffee house in Whidden Hall, which was against the rules regardless of if Mr. Saull had a host or not. Klugsberg also noted that no Whidden CAs asked Mr. Saull to leave the event, and that Mr. Saull hid the fact he was breaking the rules. Mr. Saull's campaign team advertised the event as a campaign event, and then edited the post to hide the fact rules were broken.
- Brodka stated there was active intimidation to sabotage his events, and that CAs were actively telling students not to attend the residence crawl. The event was well publicized. Community Advisors are employees and leaders in residence, and this was a serious case of sabotage. By intimidating students, these CAs were actively obstructing the campaign for Mr. Saull's political gain. Brodka stated he was approached by a first year student who indicated there was a negative feeling among Mr. Saull's team that created a negative environment in residence for anyone choosing to support a candidate other than Mr. Saull. Brodka had

evidence that first years were afraid to come forward with complaints for fear of repercussions by their CAs. Brodka stated he had a supporter in residence with a Brodka poster on his door, and a CA on Mr. Saull's campaign team ripped it down. Mr. Saull attended an IRC floor photo, which was facilitated by the IRC and all first year students were invited to take a photo. Mr. Saull was not asked to leave the event, which showed a violation of the rules and inconsistent enforcements of the rules. Brodka was told that Mr. Saull went campaigning door-to-door and distributed campaign material. There was also misrepresentation on Mr. Saull's expense sheet and overspending.

- Klugsberg stated that despite the residence rules, Mr. Saull and his campaign team had no reason to attend these events other than the purpose of campaigning and promoting his own campaign, and that Mr. Saull deliberately violated the rules. Mr. Saull and his campaign team wrote on public black boards in large lecture halls. The Chief Returning Officer clarified the rules, stipulating that writing on chalkboards and blackboards were not allowed. Messages were left up during this time, but even 24 hours after the CRO clarified, the messages were still present. Klugsberg stated that this shows a deliberate violation of the rules and refusal to correct a mistake, and that this gave Mr. Saull an unfair advantage, as students who had laptops and access to wifi were influenced to vote for him because of the writing on the blackboards. Klugsberg noted that there was clear evidence that Mr. Saull and his campaign team severely broke MSU and residence rules to obtain an unfair advantage, and that there was active sabotage and intimidation in order to influence the results. The margin of victory was very small, which goes to show that Mr. Saull influenced the integrity of the election and the results themselves.
- Brodka stated that rules were set for a reason. A candidate who deliberately violates these rules to gain an advantage was acting to sabotage the integrity of the election. Brodka stated that Mr. Saull and his campaign team planned to break these rules to win over voters, and that this was grounds for a disqualification. Brodka stated this was not just a matter of principle, but also a matter of precedent. The decision of the EAB would set a precedent for future elections.
- Saull was taken aback by the accusations. Saull stated he only received the minutes from the first appeals meeting last night, and this was the first time he was hearing the claims made by Mr. Brodka. Saull hoped the EAB could see that he did not have the same opportunity to develop a case, as he did not know what allegations had been raised.
- Based on the minutes, the primary concern was that Saull had an unfair advantage in residence. Saull stated he did not campaign door-to-door in residence. Saull stated that when he looked at the evidence presented against him, there did not appear to be any conclusive evidence, only hearsay. Saull stated that the reason there was not any conclusive evidence to show he violated rules was because the statements made by Mr. Brodka were false. Saull stated that it was clear he had support in residence, and made it clear to his campaign team that the campaign would be clean and that they would be diligent in ensuring residence was not taken advantage of. Saull stated the CRO needed to clarify the issue with the blackboards because it was not outlined in the rules. Saull stated he did not deliberately break the rules or ignore the rules, but needed clarification. Saull stated that when looking at the EC minutes, in some cases, accusations in the initial fines meetings were based on fabricated materials. Saull provided EC with a list of residences he visited, which student signed him in, and how long he was in each building. Saull stated the accusation that he campaigned door-to-door in McKay hall was false, as he did not campaign door-to-door, nor was he in McKay during the campaign period. Saull stated he had tried to show exactly what happened when he was in residence, and that the issues presented could not be substantiated because they did not happen. Saull was trying to understand where Mr. Brodka was coming from. Saull stated he had a long working experience with Residence Life, and knew the rules surrounding entry into residence. Saull stated that he was never in a building without a student, and he documented those occasions. Saull stated he was accountable to both the MSU as a candidate, but also to Residence Life as an employee. Saull documented his visits to residence to maintain the integrity of the election but also because of his responsibility to the Residence Life office. Saull noted he saw vast overgeneralizations in the minutes. Saull stated that one of the claims by Mr. Brodka was that a large majority of CAs were on his campaign team. Saull noted that 31 out of over 120 CAs were on his campaign team, so to say that a student leader in residence did XYZ, there was no evidence that it was someone on Saull's campaign team. Saull stated the he could not be responsible for people who were not on his campaign team. Saull stated that issues arising are making it seem like he maliciously and intentionally tried to sway votes in residence. Saull stated he did just the opposite. Saull stated he had worked for Residence Life for

three years in prominent positions. He worked with thousands of students, hundreds of CAs and residence welcome week representatives. Saull stated that people in residence know who he is, and he approached the campaign proactively to ensure that his position was not an issue. Saull stated that at the root of some accusations are that Saull ran an unclean campaign and that a University department gave him an unfair advantage. Saull met with his direct supervisor in advance of the campaign to outline steps he could take to ensure he would be on an even playing field with other candidates in residence, and that these steps included working from home and setting the tone with his campaign team so that they would not abuse their positions in residence to promote him as a candidate. Saull noted that CAs on his campaign team were instructed to not put up a poster supporting Saull and no one else's because it would show a student leader trying to sway voter. Saull stated he took and enforced these steps to respect his employer and ensure a fair election, and these steps were not required by the MSU. Saull stated he also created a volunteer guide to hand out to supporters that outlined common violations, such as door-to-door campaigning. Saull also worked with the Residence Life office to go over the rules with employees, highlighting that CAs were not permitted to campaign while on coverage. Saull stated he took every step possible before hand to ensure no rules were broken.

- Saull stated that he was only presented with the accusations upon entering the meeting, and was only given the minutes of the appeals meeting last night. That did not provide Saull the opportunity to provide a response, whereas Mr. Brodka had a month to build a case. Saull asked the EAB to consider providing him with five business days to draft a response to the allegations.

QUESTION PERIOD

- Ayre asked Mr. Brodka to elaborate on the constant monitoring and policing of his team.
- Brodka stated that during the residence crawl, he had a first year host in each building and he stayed in the lobby to speak with students. He stated that CAs were constantly in the lobby enforcing the rule that Brodka could not step past the lobby. Brodka stated there was unequal enforcement of the rules, as he provided 100% evidence that Saull broke the rules.
- Klugsberg added that the CAs in question were members of Mr. Saull's campaign team, and they have evidence that these people were a part of the core team. Klugsberg stated it was not an assumption; CAs were wearing blue bows in the residence and were on Mr. Saull's campaign team.
- Ayre asked Klugsberg to explain how the CAs were wearing campaign colours while working.
- Klugsberg stated that Mr. Saull's team used blue bows as campaign material and that During the residence crawl, while policing Mr. Brodka, the CA was wearing a blue bow. Klugsberg stated he had a name and a picture of the CA in question.
- Ayre asked if Mr. Brodka complained to the residence office about this.
- Brodka stated that he sent an email out conveying these suspicions to the CRO.
- Ayre asked for more information about the blackboard writing.
- Brodka stated that the CRO needed to send out an email clarifying that writing on blackboards was against the rules was because he was conveying these suspicions. Brodka stated he was not trying to hide hearsay, he was stating that he heard suspicions. Brodka stated that for one account, he has a first-hand account and 100% evidence. Brodka stated that if he had one first-hand account, what was it to say that it did not happen more than once.
- Ayre asked if the vote in residence was skewed based on the events presented.
- Brodka stated it was a matter of influencing voters. Mr. Saull attended a coffee house, and by being present, it skewed the results in his favour. Brodka stated that influence grows: a student at the coffee house sees Mr. Saull and tells his friends on polling days that he is voting for Mr. Saull because he showed support for Whidden.
- Klugsberg stated that Mr. Saull and his team were the only candidates present because they were there by breaking the rules. Mr. Saull had a unique domain over these events and the students who attended.
- Daniel stated that the residence rules were new evidence would not be considered in deliberation. Daniel asked Huff to clarify if the residence rules were circulated to all candidates, and if not, where candidates would have found this information.

- Huff stated she had never seen the residence rules document before. When the EC discusses fines, they are based on MSU election rules. Huff stated that EC does not enforce residence rules. The expectation is for candidate to follow all rules set out by the EC, and the residence rules were not provided.
- Klugsberg stated Mr. Brodka received the residence rules from the Residence Life Office Manager, K. Beatty. These rules were given to Residence Managers to convey to CAs. Klugsberg stated that regardless of whether these were MSU rules, the rules existed, CAs knew of them, and enforced them unequally. Klugsberg stated that Mr. Saull could not plead ignorance to these rules because he knew about them.
- Brodka stated the residence rules had existed since 2000. It was unfair that the rules were not enforced equally.
- Saull stated that no candidate asked for a copy of the residence rules until after the election. Saull stated that he did not have this information when he ran his campaign, and no one accessed the document.
- Galleguillos asked Mr. Brodka what evidence he had regarding the intimidation and influencing the votes of students. Galleguillos asked how influence and intimidations was measured, and in what way he felt intimidated.
- Brodka stated that CAs are in a position of power above first year students. Brodka stated he had a first-hand account from someone on his team that stated there was a general feeling of intimidation in the residence. The first year alluded to the fact that an upper year student was telling students not to attend the Brodka residence crawl. Brodka stated that this was intimidation because of their position of power, and that it was also sabotage because of obstruction for political gain. Brodka stated there was a student in Whidden that stated they were afraid of how their residence experience would be influenced by their CA if they did not support Mr. Saull
- Galleguillos asked what the first years feared.
- Brodka stated it was the fear of maintaining the relationship with their CA for the rest of the year.
- Galleguillos asked Brodka how many first years he had that would come forward to say they were afraid of repercussions from their CAs.
- Brodka stated that he had one first year, and if he was given time, he could poll other students.
- Klugsberg stated there were numerous other students that were not willing to come forward. CAs have the power to write up students, giving them fines, and risking removal from residence. Students were afraid to support candidates other than Mr. Saull because it would cause negative relations with their CAs, which was intimidation. Students were afraid to come forward because they need to live with the CAs for the rest of the year, and feared they would be treated differently.
- Brodka stated that the first year student who came forward asked ten other students, and none were willing to give a confirmation because they were afraid of it affecting their experience.
- Galleguillos stated that Mr. Brodka kept repeating the same argument. The original question was how that influence affected the votes, and how Mr. Brodka could conclude that influence translated into votes for Mr. Saull.
- Brodka stated it was in the form of showing support. Brodka was told that a poster in residence was ripped down, and that was intimidation. Therefore, students would not show support for Brodka, and that influenced voters to vote for Mr. Saull.
- Galleguillos stated the vote was secret, and that while a student might feel intimidated, there was no one watching while the student cast his or her ballot. Galleguillos stated there was no proof that the fear translated into votes for Mr. Saull.
- Brodka stated that while the vote was secret, it was an artificial show of support. If one student was undecided, and only one candidate was being supported in residence because others were afraid to support another, it would influence the undecided student.
- Galleguillos asked Brodka if he brought forward the concerns about intimidation during the campaign period.
- Brodka stated he contacted the CRO during the campaign period, which is why the clarification email was sent out.
- Klugsberg stated that in terms of the CAs on Mr. Saull's team actively telling students not to attend the residence crawl, which meant that those students would never have the opportunity to interact with Brodka. He stated that CAs were using their position to limit with whom students could interact.
- Ayre asked Mr. Saull to address why the chalkboards were not cleaned after the CRO emailed her ruling.
- Saull stated that as soon as he and his team received that information, they took action.

- Morrow stated that he sent out a message to the campaign team detailing that writing on blackboards was against the rules. Morrow was not sure if all of the boards were erased, but he did tell the volunteers to erase what they had written.
- Ayre asked Mr. Saull why and how he was at the coffee house in Whidden, and what were the circumstances around the Facebook post.
- Saull stated that one of his volunteers was a first year living in Whidden who made a joint post about the campaign and the Whidden coffee house. Saull believed it was an honest mistake, and the team member might not have understood how the post could have been interpreted as promoting the coffee house as a campaign event. Saull stated his campaign manager was the person to notice the post, and asked for it to be edited. Saull added that following the post, the campaign manager contacted the CRO. Saull stated that his attendance at the coffee house was being presented as a malicious act. Saull stated he followed the residence rules of conduct, the residence guest policy, and MSU election rules.
- Ayre asked Mr. Saull if he campaigned at the coffee house.
- Saull stated he sat at the back of the room for approximately 15 minutes. He did not bring in buttons or make a speech. Saull stated he was caught off guard that this event was brought forward as malicious activity.
- Ayre asked for clarification on the IRC photo event.
- Saull stated he was in the lobby of the building, which was attached to the room where the IRC photos were being taken. Saull stated he was not invited to the event by the IRC or residence staff, a student brought him into the building. Saull stated he provided the names of each student who accompanied him into residence to the EC. Saull stated he did speak with students in the lobby of the building.
- Daniel asked Saull to speak to the allegation of a CA on his team handing out buttons while on coverage.
- Saull stated he was not present during the specific event noted, so he could not speak to what did or did not happen. Saull stated that he did everything he could to explain the campaign rules to his team. Saull stated that his core team would not have sent campaign evidence into residence to hand out to students. Saull did not see this incident as conclusive evidence.
- Brodka stated that names were withheld in his package, and that the package presented to the EAB was the original appeal package. There was no new information provided in the package. Brodka stated the rules existed from the beginning of the campaign and governed his actions.
- Galleguillos asked if the information was collected during the campaign period.
- Brodka stated that there was an individual on his team assigned to dealing with complications. When issues came in, they would be sent to the CRO. Brodka stated the package was a summary of the violations committed by Mr. Saull during the election.
- Galleguillos asked if Mr. Brodka had been in contact with other candidates and if they had similar concerns.
- Klugsberg stated there were numerous issues brought up by other candidates; it was not just Mr. Brodka's team. Klugsberg stated that two other campaign teams submitted violations against Mr. Saull regarding door-to-door campaigning.
- Galleguillos asked Mr. Brodka if he believed he lost the election because of the alleged lost votes from first year students.
- Brodka stated he believed he lost the election because of the violations committed by Mr. Saull and his team.
- Galleguillos stated that his question was not answered.
- Brodka stated that first year votes were one part of it, but that was where most of the violations occurred. Brodka stated that in general, the sum of violations in their entirety gave Mr. Saull the advantage.
- Galleguillos asked if it was possible to prove the votes from first year students in residence who made up the difference in votes between Mr. Brodka and Mr. Saull.
- Huff stated she was unable to determine which students voted for which candidate.
- Brodka stated the impact of the violations was clear. Voters were 100% influenced by violating the rules, which led to Mr. Saull being elected.
- Galleguillos asked if it would be possible to demonstrate the 100% proof and evidence because the vote was secret.
- Brodka stated Mr. Saull gained influence by breaking the rules, and the personal perspective of students was what made a difference.

- Ayre stated that the majority of issues brought forward were surrounding things that CAs allegedly did, not Mr. Saull. Ayre asked if that could have been over enthusiasm, or if there was proof that Mr. Saull encouraged his team.
- Brodka stated the team was an extension of a candidate. The candidate is responsible for explaining the campaign rules. Violations are also an extension of the candidate. Regardless of whether Mr. Saull knew, rules were broken and he is responsible for those representatives.
- Ayre asked Mr. Brodka if he was convinced that everyone who made a violation was part of Mr. Saull's team.
- Brodka stated that in the instances where he has names, the majority of the people were on Mr. Saull's campaign team.
- Klugsberg stated that a member of Mr. Saull's campaign team shared the blackboard picture and that a CA allegedly ripped down a pro-Brodka poster. Klugsberg stated it was impossible to get a picture of a poster being ripped down, but to see a CA in the hallway immediately after the incident was strong proof.
- Saull stated he would like to leave the guide he created for his volunteers, which included a list of CAs who were members of his team.
- Galleguillos asked if there was proof that Mr. Saull's team wrote on the blackboard.
- Brodka stated that Mr. Saull and his team admitted to writing on the boards.
- Galleguillos asked Mr. Saull to clarify.
- Saull stated that members of his team wrote on various blackboards before the email clarification from the CRO went out.
- Brodka stated that the timestamp on the photo he provided showed that the message was up for over 24 hours after the clarification went out.
- Galleguillos asked if the writing was only in one classroom, or if it was presented in others.
- Brodka stated he had proof of writing in two lecture halls, and was not sure if there were others.

11:57 am – all observers left the room and the EAB entered closed session.

12:01 pm – returned to open session.

Moved by Daniel and **seconded** by Ayre that Mr. Teddy Saull be given until March 5, 2014 to create a defense, as well as a copy of the package provided by Mr. Jacob Brodka.

Passes Unanimously

Recessed at 12:01pm

Called to order at 2:30pm on March 6, 2014 in MUSC 301.

- The EAB reviewed the outlined of the meeting.

Candidates invited into the room at 2:35pm.

- Teddy Saull, Jacob Brodka, Lindsey Huff, Michael Cheung, Jacob Klugsberg, Jimmy Long, Gabriel Jeyasingham, Michael Wooder, and David Campbell entered the meeting.

REPORT PERIOD

- Saull appreciated the opportunity to speak to the accusations. The accusations caught him off guard. To the best of Saull and his team's knowledge, they ran a clean campaign. Saull stated he was accountable to both the MSU and Residence Life; it was not just a campaign, as it involved his job, his friends, and his friends' jobs. Saull was surprised at the exaggerated nature of the claims he would manipulate and sabotage the election to win. Saull stated he was accused of coercing students to vote for him, and did not think the evidence or intent supported this claim. Saull noted he had three overarching arguments. The claims brought forward from Mr. Brodka were exaggerated and severe, and show Saull's campaign in a negative light. Saull believed the

evidence failed to prove he broke the rules or broke the rules maliciously. Saull questioned the evidence presented itself. Saull stated it was obvious that he had support from some people in Residence Life, as that was the nature of campaigning. He noted that other candidates had support from their backgrounds, such as with the Student Representative Assembly, the Maroons, or Diversity Services. Saull did not believe there was any indication that he used the support from Residence Life employees to bend the election, coerce students into voting for him, or conduct his campaign in an unfair manner. Saull stressed that he and his team did their best to abide by the rules set out by the MSU Elections Committee. Saull stated the EAB was responsible for determining whether Saull violated MSU elections rules. Saull stated that he took a number of proactive steps before the campaign began to ensure that his position with Residence Life did not give anyone an unfair advantage or abuse the positions of his campaign team in their positions of power. Saull met with his supervisor to outline ways he and his campaign team could maintain the integrity of the Residence Life Office. Saull stated that he passed on to his team, in a number of ways, all of the information that he had sought out. Saull had made all of his visits to residence during the campaign period available, including the dates, times, and escorts to the building. Saull noted that the evidence Mr. Brodka had put forward supported the claims Saull had already made. Saull noted he was open about his visit to Whidden, sitting at the back of the room, and Mr. Brodka reported the same event, showing no malicious intent.

- Saull stated that the first accusation was that members of his campaign team used their positions as Community Advisors (CA) to break rules deliberately in residences. Saull stated this claim had not been substantiated by evidence, and was subject to bias by those perceiving intimidation. Saull noted that around 25% of CAs on campus were members of his campaign team, and it was unfair to generalize that if an incident with a CA occurred that it was a member of Saull's campaign team. Saull added there was no evidence to suggest that "policing" in residence was politically motivated. Saull noted that if members of Mr. Brodka's team were in residence and feeling unwelcome by the CAs, it could have been because someone was breaking the residence rules.
- Saull addressed the accusation of deliberate rule breaking regarding his presence in Whidden Hall. Saull stated he did not violate any MSU rules. Saull was very honest about his activities in residence, and it aligns with the accusations brought forward by Mr. Brodka and his campaign team. Saull stated that what he violated was a residence-specific policy that he did not know about until the following week, which outlined that candidates were not permitted past the lobby. After speaking with K. Beatty (Residence Life Office Coordinator), Saull noted that K. Beatty told him that no candidate, the Chief Returning Officer (CRO), or other member of the MSU accessed that document until after the election. Saull felt that to say his actions were an intentional violation of the rules was impossible, as no one in the MSU was aware of this residence policy. Saull stated that he attended an event in Whidden, but he did not make a public announcement, nor did he bring or leave campaign material in the residence. Saull sat at the back of the event with his host, who was also a member of his campaign team. Saull did not think there was evidence proving that his attendance in Whidden swayed the entire election. Saull acknowledged that a member of his campaign team had promoted both his MSU Presidential candidacy and the event in Whidden in the same Facebook post. Saull's campaign manager asked for the error to be corrected, and verbally reported the infraction to the CRO for it to be brought forward to the Elections Committee. Saull did not know how this incident was malicious. Saull stated that the accusations refer to the incident as "one example of rule breaking", which insinuated that there was more than one example. Saull noted it was this kind of language, consistent through Mr. Brodka's appeal, which was severe without any evidence to support the claims. Saull stated that the reason no students were willing to come forward during the elections process with complaints is that there were none.
- Saull addressed the claim that his campaign team actively sabotaged the residence crawl, and stated there was no evidence to suggest that he, or his campaign team, were involved, let alone that they wanted to sabotage the event or it demonstrated sabotage from Saull's leadership and his campaign team. Saull stated it was dangerous to claim that all students felt intimidated during the campaign period.
- Lastly, Saull addressed his attendance at the Inter-Residence Council (IRC) floor photos. He stated that a student invited Saull into the residence, and he spoke to a handful of students who were present before leaving. Saull stated that there was video evidence of Mr. Brodka being in the same residence room that Saull had already admitted to being in. Saull stated the claims from Mr. Brodka were that Saull had an unfair advantage by being present in residence, and wondered what the difference was between thirty students seeing Saull in a coffee house versus the thousands of views on YouTube Mr. Brodka had.

- Brodka stated that Mr. Saull was attempting to mitigate the severity of his offences by creating generalizations and exaggerations, which was a generalization of itself. Brodka noted that specific students were named in his appeal. Brodka argued that Mr. Saull had misrepresented his violations to the EAB, and in every instance, Brodka presented a concrete case of evidence. Brodka stated he was not accusing an entire department of supporting a single candidate, and where required, suspicions were marked as such. Brodka stated that the evidence presented proved that Mr. Saull willingly broke MSU rules for political gains. Brodka noted that some conversations occurred after the fact as a way to document a verbal conversations, but all other cases were unprompted, first-hand accounts of violations. Brodka claimed that Mr. Saull was guilty of sweeping statements.
- Klugsberg stated that Mr. Brodka's appeal was not accusing the Residence Life office of favouring one candidate. He noted that when the appeal cites the breaking of rules, it is in reference to specific members of Mr. Saull's campaign team that the Brodka campaign team visibly saw committing the violations outlined in the appeals package. Klugsberg stated that the steps Mr. Saull took to run a clean campaign did not take away from the facts that violations still occurred and rules were still broken. Klugsberg noted that Mr. Brodka received the residence rules from the Residence Life Office Coordinator, and was surprised that the rules were never mentioned to Mr. Saull by his supervisor. Klugsberg stated that the appeal was based on Mr. Saull's violations, and mitigating violations was outside the scope of the appeal.
- Brodka addressed the issue of the residence rules not being circulated in advance to all candidates. Brodka noted that in preparation of his residence crawl, he asked what rules governed the residences, and was provided with a set of rules. The rules were not new. Brodka stated that the rules have always been in effect, and if Mr. Saull needed clarification on the rules of residence, he should have asked. Brodka added that Mr. Saull was making incorrect statements, such as leaving out that members of his campaign team were also in attendance of the Whidden coffee house, and clarifying that he did not speak at the coffee house; Brodka never said that Mr. Saull spoke at the event, only that he was present. Brodka stated that this was one example of Mr. Saull attempting to hide the breaking of residence rules. Brodka added that he outlined in the appeal that this was one example of the rule breaking, and provided the concrete evidence, and did not insinuate that there was more than one violation.
- Klugsberg stated that Mr. Saull hid the fact one of his campaign team members broke the rules by editing a Facebook post. If the CRO was informed of the violation, Klugsberg stated Mr. Saull's team would not have made the mistake if they knew the rules as claimed. Klugsberg noted the appeal of intimidation and sabotage were prompted by a message they received from a student in residence. Klugsberg stated the appeal was conveying a first-hand account of an incident.
- Brodka addressed the comment of the IRC event. Brodka stated he submitted the complaint against Mr. Saull for this event because it was an IRC event and no other candidates were invited. Brodka stated that the fines he received as a candidate were outside the scope of the discussion, as the appeal was for the disqualification of Mr. Saull.

QUESTION PERIOD

- Galleguillos appreciated the arguments put forward by both parties. Galleguillos asked how the election could be described as a fair, free, and clean election, when both parties had been found guilty of multiple violations.
- Saull stated that the reality of running a two-week campaign is that mistakes would be made. Saull stated that his team was aware they had made infractions, and brought those to the attention of the Elections Committee as soon as possible. Saull stated that one of the allegations against him was that he campaigned door to door in residence, and that never happened. Saull stated that he submitted documentation to the Elections Committee to appeal that specific fine, and while he disagreed with the decision, the Elections Committee upheld the fine against Saull on campaigning door to door. Saull thought it was difficult for people to see that he did not have as much support in residence that he was made out to have had.
- Brodka stated the reason he was here and had taken the issue so far was based on the entirety of the violations committed by Mr. Saull and his campaign team. Brodka reiterated that anything he had been fined for was outside the scope of this conversation. Brodka stated he submitted an unprompted response from a student alerting him to violations made by Mr. Saull and his team. Brodka noted he did not believe he was the only person to submit evidence of Mr. Saull and his team campaigning door to door.

- Daniel asked Ms. Huff to elaborate on the process of the Elections Committee to discuss the disqualification of Mr. Saull, and the rationale to uphold the committee's original decision not to disqualify Mr. Saull.
- Huff stated that the Elections Committee levied two severe fines to Mr. Saull stemming from the same violation. The committee discussed Mr. Saull's disqualification, but when examining the violations, the committee found that they did not compromise the integrity of the election and Mr. Saull should not be disqualified. Huff stated that when Mr. Brodka appealed that decision, the evidence presented did not change the committee's mind, and the original decision was upheld.
- Ayre asked if the rules circulated were the entirety of the MSU elections rules.
- Huff stated that candidates were also provided with the two bylaws governing MSU elections as well as the MUSC Postering Policy.
- Galleguillos stated that the Elections Committee saw the issue twice, voting the same way. Galleguillos noted that the Elections Committee did not see any reason why the integrity of the election should have been questioned or candidates disqualified. Galleguillos asked how the Elections Committee could levy a severe fine on a candidate yet state the integrity of the election was not compromised.
- Huff stated that with large campaign teams, mistakes were bound to happen. Huff stated that Mr. Saull's team had been transparent and brought forward violations they made themselves. Huff noted that the fines were levied because the violations occurred, but they were not detrimental to the election, nor did they affect the integrity of the election.
- Ayre asked Mr. Brodka what MSU election rules he felt Mr. Saull violated.
- Brodka stated that it was against the rules to violate any of the elections rules deliberately. Brodka stated that in the case he presented, Mr. Saull was deliberately violating the rules set out by Residence Life.
- Ayre stated those were not MSU election rules.
- Brodka argued that as the highest governing body, the EAB should consider the residence rules as an extension of the MSU election rules.
- Ayre stated that there was no reference to residence rules in the official MSU election rules, and she was not sure how they were connected.
- Klugsberg noted that in their email submission, it provided clarification on the residence rules and the blackboard infractions. Klugsberg stated that in advance of Mr. Brodka's residence crawl, they were informed to follow all residence rules. While the MSU cannot govern residence, if a candidate was going to go out and break the residence rules, they should be held accountable. Klugsberg argued that Mr. Saull was aware of the rules, and regardless of the fact they were not referenced in the MSU rules, they were still in place.

3:15 pm – all observers left the room and the EAB entered closed session.

3:28 pm – returned to open session.

Moved by Daniel, **seconded** by Galleguillos that the appeal brought forward by Mr. Jacob Brodka is denied, and the original Elections Committee decision is upheld.

Passes Unanimously

ADJOURNMENT

Adjourned by General Consent

Adjourned at 3:30pm

/jb