

STUDENT GOVERNMENT ASSOCIATION SUPERIOR COURT

VALIDATION OF THE ELECTION REPORT AND RESULTS OF THE 2023 SPRING STUDENT GOVERNMENT ASSOCIATION ELECTION

[APRIL 13, 2023]

CHIEF JUSTICE WALLS delivered the unanimous opinion of the Court.

At the request of the Election Commissioner, and in accordance with the authority provided to the Superior Court in SGACA Tit. VI, Ch. 5, §9, the Court extended the deadline for the submission of the Election Report.

The Court has not received any appeals to the Election Report nor has the court been presented with any evidence that there is any administrative irregularity in the Election Report. Further, the court has not been notified of any outstanding, unresolved, or pending complaints or infractions related to the Spring 2023 Election of the Student Government Association. The Court reviewed the Election Report and, in accordance with SGACA Tit. VI, Ch. 5, §12, maintained a presumption of administrative regularity and identified no substantive or consequential issues related to the Election Report. The Election Report, as was approved by the Court, is attached as an appendix to this document. The 2023 Student Government Association Election Report is hereby validated.

It is so ordered.



Corbin M. Walls

Chief Justice of the Superior Court

Student Government Association, The University of Oklahoma

**UNIVERSITY OF OKLAHOMA STUDENT GOVERNMENT ASSOCIATION SPRING
2023 GENERAL ELECTIONS REPORT**

Randi Wright, Election Commissioner

Election Commission Staff: Alexia Charlton, Travis Handler, and Laura Hoehner

Pursuant to SGACA Tit. VI Ch. 5 § (1)(h), the following report details the results of the Spring 2023 SGA General Elections. Voting for these elections occurred on April 4 and 5th, 2023.

The Election Commission received a total of 2 complaints:

- 2 were heard as a formal complaint. The decision of this petition is included in this report.

Projected winner of each race are bolded and indicated by an *

Campus Activities Council Chair

Minimum number of votes needed: 588 (Spring 2022)

1 ticket

***Catherine Tramel: 761**

Student Bar Association President

Minimum number of votes needed: 31 (Spring 2022)

1 ticket

***Hannah Summy: 36**

Undergraduate Student Congress Representatives:

Architecture District: 1 candidate, 1 open seat

Minimum number of votes needed: 12 (Spring 2022)

***Olivia Welchel 17**

Atmospheric and Geographic Sciences District: 1 candidate, 1 open seat

Minimum number of votes needed: 28 (Spring 2022)

***Michael Reynolds 32**

Business District: 1 candidate, 2 open seats

Minimum number of votes needed: 135 (Fall 2022)

Harrison Carter 55

Engineering District: 1 candidate, 4 open seats

Minimum number of votes needed: 68 (Fall 2022)

***Luke Wilson 78**

Finance and Accounting District: 1 candidate, 2 open seats

Minimum number of votes needed: 77 (Fall 2022)

Ethan Foley 39

Humanities District: 1 candidate, 3 open seats

Minimum number of votes needed: 37 (Fall 2022)

***Hope Wear 48**

Interpersonal Studies District: 1 candidate, 1 open seat

Minimum number of votes needed: 56 (Fall 2021)

Clayton Nowland 26

Life Science District: 1 candidate, 1 open seat

Minimum number of votes needed: 69 (Fall 2022)

***Shrey Kathuria 106**

Social Science District: 3 candidates, 2 open seats

***Tabitha Baggett 49**

***Ivan Ramirez 44**

Ryan Barnett 35

University College District: 6 candidates, 6 open seats

Minimum number of votes needed: 101 (Fall 2022)

***Mecca Fisher 151**

***Chloe Harris 151**

***Syed Aslam 138**

***Arianna Eakle 137**

***Kate de Mahy 134**

***Aaron Gilson Bond 129**

RULINGS ON INFRACTIONS

SP23-001 Petition Filed by Election Commissioner Regarding Campaign Finance Reports

SP23-002 Petition Filed by Election Commissioner Regarding Second Campaign Finance Reports

TOTAL POINTS ASSIGNED

Harrison Carter received 3.5 points total.

Tabitha Baggett received 3.5 points total.

Kate de Mahy received 3.5 points total.

Ryan Barnett received 3 points total.

Olivia Welchel received 1.5 points total.

Ivan Ramirez received 1.5 points total.

Clayton Nowland received 1.5 points total.

Ethan Foley received 1.5 points total.

Michael Reynolds received 1.5 points total.

Arianna Eakle received 1 point total.

Mecca Fisher received 1 point total.

REPORTED IRREGULARITIES

During the election, it was discovered that Banner had not correctly placed Aviation students at the University of Oklahoma under the Atmospheric and Geographic Sciences District. This issue was brought to the Election Commissioner and George Ahmadi's attention at 4:30pm on April 4, 2023. The reported issue was fixed by 5:26pm on April 4, 2023 by creating a separate election available for Aviation students not included in the Atmospheric and Geographic Sciences District election's properties, and at the end of the election, the Election Commissioner added together the Atmospheric and Geographic Sciences candidate's vote totals from both the Atmospheric and Geographic Sciences District ballot and the provisional Aviation ballot.

On March 29, 2023 at 9:11pm, the Election Commissioner was made aware by candidate Syed Aslam about an issue regarding Syed Aslam's submission to the Candidate Booklet. Certain aspects of Syed Aslam's submission seemed to be altered, enlarged, and irregular. The Election Commissioner concluded that during the exportation of the finished booklet, a technical error occurred that altered his submission's properties such as bullet point size and spacing. The issue was fixed by March 30, 2023 at 8:58am.

DECISIONS OF THE SGA ELECTION COMMISSION

The decisions of the Election Commission for the Spring 2023 SGA General Elections are attached at the beginning of the next page.

SGA Election Commission
A Petition by the Election Commissioner Regarding Initial Campaign Finance and
Donation Reports
SP23-001 30 Mar. 2023

Holding

3-0 in each case that all respondents committed an infraction

3-0 in each case on the number of infraction points assigned to a campaign

Points are assigned as follows:

1.0 point assigned to the following candidates/campaigns: Ryan Barnett, Arianna Eakle

1.5 points assigned to the following candidates/campaigns: Olivia Welchel, Harrison Carter, Ivan
Ramirez, Tabitha Baggett, Kate de Mahy

*Note: Tyler Saldana and Khiala Brown were initially named as a Respondent in this case but
have since withdrawn from the election. Accordingly, no points were assessed to their respective
campaigns.*

Facts of the Petition

SP23-001 was submitted to the Student Government Association (hereinafter “SGA”) Election Commission (“the Commission”) on March 28, 2023, by the SGA Election Commissioner (hereinafter “the Commissioner”) via the “Election Formal Petition Form Spring 2023” page on Engage. This form was established in accordance with the SGA Code Annotated (hereinafter “the Code”) to provide SGA members an electronic form for reporting suspected campaign infractions, *SGACA* Tit. VI Ch. 5 § 28. The petition states that several candidates for office in the Spring 2023 SGA General Elections failed to file initial financial and donations reports that were correct and complete in form, in violation of the Code. *Id.* Ch. 4 § 25(b)(vi). Quoting from the petition:

Candidates were made aware during the Mandatory Candidate Meeting as well as with an email the Friday before the due date, that they must submit a completed Financial Forms to Engage before 11:59pm on March 27, 2023. The following candidates did not turn in their Financial Forms: Olivia Welchel, Harrison Carter, Tyler Saldana, Khiala Brown, Ivan Ramirez, Tabitha

Baggett, Arianna Eakle, and Kate de Mahy. Additionally, Ryan Barnett did turn in a Financial Form, but it was late and incomplete.

Upon review, each of these candidates was named as a Respondent to this petition and informed that they had 24-hours to file a written response or request an oral hearing. After 24-hours, no candidate requested an oral hearing and the Commission received only two (2) written responses. The first response was received by Candidate Ryan Barnett, who apologized, attributed his late submission to unforeseen circumstances and promised to “take extra measures to ensure that such errors are not repeated in the future.” Ryan Barnett also promised to submit a complete form with the missing signature and date of signature attached. The second response was received from Candidate Arianna Eakle, who attributed her failure to submit a report to moving non-stop, as well as confusion regarding the status of her failure to submit content for the Candidate Booklet. As expressed in her messages, Arianna Eakle thought that her failure to submit content for the Candidate Booklet excluded her from the possibility of running. The Commissioner clarified to Arianna Eakle that the Candidate Booklet is optional and not mandatory, and that it never precluded her from running for office. Arianna Eakle then stated she can turn in her financial and donations report late if it means it could lower the number of points allocated to her. The Commission considered the case of Ryan Barnett and Arianna Eakle separately.

Questions Considered

- I. Was Ryan Barnett’s initial financials and donations report incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016 and SP22-013 apply?

Short Answers

- I. Yes, Ryan Barnett did not have a financials and donations report on file that was correct and complete by the deadline.
- II. Yes, candidates who submitted a late report shall be assigned 1.0 point, and candidates who failed to submit an initial financial and donations report shall be assigned 1.5 points.

Discussion

In reviewing the financial and donations report and Ryan Barnett's response, the Election Commission unanimously found that Ryan Barnett did submit the form incomplete and after the expressed deadline. However, because Ryan Barnett still submitted the form eventually and admitted to the mistake, the Commission chose to accept the initial financial and donations report attached to the response as a late report.

Questions Considered

- I. Was Arianna Eakle's initial financials and donations report incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016 and SP22-013 apply?

Short Answers

- I. Yes, Arianna Eakle did not have a financials and donations report on file that was correct and complete by the deadline.
- II. Although the Commission finds that Arianna Eakle must remedy the absence of a financials and donations report, her promise to send in the document in her written response amounts to a late submission, if followed through, for the Commission. Additionally, the Commission diverges from SP22-013 in that the Commission did find Arianna Eakle's confusion regarding her status as a candidate sympathetic and as a factor in deciding to give her 1.0 point instead of a higher amount.

Discussion

The Commission unanimously found that Arianna Eakle's confusion regarding whether she was still permitted to run after her failure to submit content for the Candidate Booklet sympathetic and a permissible factor for the Commission to consider in rendering its verdict. Additionally, her promise to send in the report served to demonstrate her commitment to remedying the issue for the Commission.

Facts of the Petition

Olivia Welchel, Harrison Carter, Tyler Saldana, Khiala Brown, Ivan Ramirez, Tabitha Baggett, and Kate de Mahy never submitted a financials and donations report and did not make a statement to the Commission during the allotted 24-hour period. Khiala Brown and Tyler Saldana have since withdrawn from the election before the Commission could hear the complaint. The Commission considered the case of the remaining individuals as a unit due to the similarity between all the cases.

Questions Considered

- I. Were the implicated candidates' initial financials and donations report incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016 and SP22-013 apply?

Short Answers

- I. Yes, none of the implicated candidates had a financial and donations report on file that was correct and complete by the deadline.
- II. Yes, candidates who submitted a late report shall be assigned 1.0 point, and candidates who failed to submit an initial financial and donations report shall be assigned 1.5 points.

Discussion

Per the precedent in FA21-016 and SP22-013, the Commission assigned 1.5 points to each candidate who failed to submit an initial financials and donations report.

It is so ordered.

SGA Election Commission
A Petition by the Election Commissioner Regarding Second Campaign Finance and
Donation Reports
SP23-002 11 April 2023

Holding

3-0 in that Shrey Kathuria and Olivia Welchel did not commit an infraction

3-0 in every other case that respondents committed an infraction

3-0 in each case on the number of infraction points assigned to a campaign

Points are assigned as follows:

1.0 point assigned to the following candidates/campaigns: Mecca Fisher

1.5 points assigned to the following candidates/campaigns: Clayton Nowland, Ethan Foley,
Michael Reynolds

2.0 points assigned to the following candidates/campaigns: Harrison Carter, Tabitha Baggett,
Ryan Barnett, Kate de Mahy

Facts of the Petition

SP23-002 was submitted to the Student Government Association (hereinafter “SGA”) Election Commission (“the Commission”) on April 7, 2023, by the SGA Election Commissioner (hereinafter “the Commissioner”) via the “Election Formal Petition Form Spring 2023” page on Engage. This form was established in accordance with the SGA Code Annotated (hereinafter “the Code”) to provide SGA members an electronic form for reporting suspected campaign infractions, *SGACA* Tit. VI Ch. 5 § 28. The petition states that several candidates for office in the Spring 2023 SGA General Elections failed to file initial financial and donations reports that were correct and complete in form, in violation of the Code. *Id.* Ch. 4 § 25(b)(vi). Quoting from the petition:

Per the SGACA, a second Financial and Donations Report is required of all candidates. The Election Commissioner set a deadline of April 6, 2023 at 11:59pm and made this apparent in two emails and during the Mandatory Candidate Meeting. The following candidates never submitted a second Financial and Donations Report: Olivia Welchel, Harrison Carter, Ethan Foley, Clayton Nowland, Shrey Kathuria, Tabitha Baggett, Ryan Barnett, Mecca Fisher, and Kate de

Mahy. Additionally, candidate Michael Reynolds did submit a Financial and Donations Report, but after the deadline had passed at 4:01am on April 7, 2023.

Upon review, each of these candidates was named as a Respondent to this petition and informed that they had 24-hours to file a written response or request an oral hearing. After 24-hours, one candidate requested an oral hearing and the Commission received four (4) written responses. The first response was by Shrey Kathuria on April 7, 2023. Shrey Kathuria provided screenshots showing that Shrey Kathuria did send in the second Financial and Donations report before the prescribed deadline. Shrey Kathuria also requested an oral hearing with the Commission. During the meeting, the Commissioner screen-shared the Commissioner's device which showed Engage had logged no submission by Shrey Kathuria. However, the Commission, in light of Shrey Kathuria's evidence, decided this was a technical issue and Shrey Kathuria could not be found liable for Engage's mistake. Similarly, Olivia Welchel provided a screenshot through email on April 12, 2023 showing that Olivia Welchel had submitted Olivia Welchel's second Financial and Donations Report before the prescribed deadline. The Commission found that Olivia Welchel's circumstances were substantially similar to Shrey Kathuria's circumstances and that Olivia Welchel is not liable for the technical incident. Mecca Fisher also submitted a response on April 7, 2023. Mecca Fisher claimed that, because Mecca Fisher did not incur any expenses or donations, that Mecca Fisher did not believe Mecca Fisher needed to submit a second report. However, at both the Mandatory Candidate Meeting and in subsequent emails sent to candidates regarding the second Financial and Donations Report, the Commissioner made it clear that a second Financial and Donations Report was necessary regardless of if the candidate incurs any expenses or donations. Mecca Fisher also submitted Mecca Fisher's second Financials and Donations Report late through email to the Election Commissioner. The last response the Commission received was from Michael Reynolds. Michael Reynolds' response was solely about an issue with his submitted report, and did not mention nor rebuttal the accusation that Michael Reynolds' report was submitted late, the issue being that Michael Reynolds' report only cataloged donations and did not include the first page of the Financials and Donations Report about expenses. Quoting from Michael Reynolds' response:

I turned in everyone on one report! I'm at work right now. I had no donations. This is all the money I spent on my campaign.

The Commission found that Michael Reynolds' Financial and Donations Report, submitted through both Engage and email, lacked the first page regarding expenses. Michael Reynolds' report only cataloged donations. A screenshot will be provided below of Michael Reynolds' Financial and Donations Report.

CAMPAIGN DONA

For the period ended: April 06, 2023		
NO.	ITEM	DATE
1	6 - (8x10) Flyers & 96 campaign card flyers	17-Mar-23
2	10 - campaign buttons	9-Mar-23
3	6 - (8X10) Flyers	20-Mar-23
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TOTAL	Select Row 26, right click, and select Insert to add additional li	
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PENALIZED FOR FALSE, INACCURATE, OR LATE STATEMENTS		
CANDIDATE'S SIGNATURE: Michael T. Reynolds Sr.		

ATION REPORT

	REPORT TYPE: Initial Donation Report	
	PAGE NO: 1	TOTAL PAGES: 1
	4/6/2023	
SOURCE	TOTAL INCOME	
Crimson & Cream Copy Center	\$ 20.35	
Sticker Mule	\$ 23.90	
Crimson & Cream Copy Center	\$ 5.10	
	\$ -	
	\$ -	
	\$ -	
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	6-Apr-23	

Questions Considered

- I. Was Shrey Kathuria and Olivia Welchel's second Financials and Donations Report incomplete or incorrect by the deadline?

Short Answers

- I. No, Shrey Kathuria and Olivia Welchel did submit a complete and correct second Financial and Donations Report by the deadline.

Discussion

Due to both Shrey Kathuria and Olivia Welchel experiencing similar circumstances as shown by screenshots sent by both parties, it is evident to the Commission that Shrey Kathuria and Olivia Welchel experienced a technical issue that was out of Shrey Kathuria and Olivia Welchel's control.

Questions Considered

- I. Was Michael Reynolds' second Financial and Donations Report incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016, SP22-013 and SP23-001 apply?

Short Answers

- I. Yes, Michael Reynolds' second Financial and Donations Report was turned in after the deadline and was incomplete.
- II. Yes, candidates who submitted a late report shall be assigned 1.0 point, and candidates who failed to submit a Financial and Donations Report shall be assigned 1.5 points. Because the Commission received an incomplete report, missing half of the required content, the Commission decided that Michael Reynolds failed to submit a complete Financial and Donations Report.

Discussion

Despite the fact that the Commission received one-half of the Financial and Donations Report, it was submitted late and lacked the expenses portion of the report. For this reason, the Commission decides that to keep the integrity of the report process, and ensure people cannot choose what sections of a report to submit and what sections of a report to not submit, that Michael Reynolds will receive 1.5 points instead of only 1.0 point.

Questions Considered

- I. Were Clayton Nowlands and Ethan Foley's second Financial and Donations Reports incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016, SP22-013 and SP23-001 apply?

Short Answers

- I. Yes, Clayton Nowlands and Ethan Foley's second Financial and Donations Reports were incomplete or incorrect by the deadline.
- II. Yes, candidates who submitted a late report shall be assigned 1.0 point, and candidates who failed to submit a Financial and Donations Report shall be assigned 1.5 points.

Questions Considered

- I. Was Mecca Fisher's second Financial and Donations Report incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016, SP22-013 and SP23-001 apply?

Short Answers

- I. Yes, Mecca Fisher's second Financial and Donations Report was incomplete or incorrect by the deadline.
- II. Yes, candidates who submitted a late report shall be assigned 1.0 point, and candidates who failed to submit a Financial and Donations Report shall be assigned 1.5 points.

Discussion

The Commission found Mecca Fisher's comment to be substantially outweighed by the repeated measures the Commissioner took to inform candidates that a second Financial and Donations Report is required notwithstanding their current expenses and donations or lack thereof. However, because Mecca Fisher did eventually send Mecca Fisher's second Financial and Donations Report, the Commission decided to assign Mecca Fisher 1.0 point per the precedent set.

Questions Considered

- I. Were Harrison Carter, Tabitha Baggett, Ryan Barnett, and Kate de Mahy's second Financial and Donations Report incomplete or incorrect by the deadline?
- II. Shall the precedent set in FA21-016, SP22-013 and SP23-001 apply?

Short Answers

- I. Yes, Harrison Carter, Tabitha Baggett, Ryan Barnett, and Kate de Mahy's second Financial and Donations Reports were incomplete or incorrect by the deadline.
- II. Although these candidates failed to submit a Financial and Donations Report, the Commission considered the candidates' past infractions as substantially relevant to the current case and assigned Harrison Carter, Tabitha Baggett, Ryan Barnett, and Kate de Mahy an additional 0.5 point for repeated offense. Additionally, the Commission repeals the verdict in SP23-001 regarding promised and upcoming Financial and Donations Reports.

Discussion

Due to Harrison Carter, Tabitha Baggett, Ryan Barnett, and Kate de Mahy failing to submit a complete and correct Financial and Donations Report by the deadline for the second time this semester, as found in SP23-001, the Commission, under the guidance of *SGACA* Tit. VI Ch. 5(3)(b), found Harrison Carter, Tabitha Baggett, Ryan Barnett, and Kate de Mahy liable for the maximum punishment found under *SGACA* Tit. VI Ch. 4(5)(b). Additionally, in light of the fact that certain candidates may not and did not send in their initial Financial and Donations as promised in their written responses to the petition, the Commission repeals the section of SP23-001 regarding promised future Financial and Donations Reports in candidates' written responses and reaffirms earlier rulings from the Commission regarding absent reports.

It is so ordered.