ASSOCIATED STUDENTS OF UC IRVINE

ASUCI ELECTIONS COMMISSION
2023-2024

Associated Students • University of California • Irvine
Decision of the Elections Commission  
Pragya Jhunjhunwala v. Chidera Okoroama  
Complaint Submitted: Saturday, April 20, 2024, at 11:32 PM

An elections complaint was submitted to the Elections Commission via the official complaint form on the ASUCI Elections Website (elections.uci.edu) before the complaint deadline of April 21st, 2024, at 5PM by ICS Senator Candidate Pragya Jhunjhunwala (hereinafter: “complainant”) regarding ICS Senator candidate Chidera Okoroama (hereinafter: “defendant”). After corresponding with the complainant and defendant, the Elections Commission determined that an Evidentiary Hearing was unnecessary pursuant to Elections Code Article XXI § G. At that time, the Commission also provided the defendant an opportunity to respond to the complaint in writing or a recorded meeting pursuant to Elections Code Article XXI § H. An official statement from Ashley Cheng, the individual who owns the Discord account shown in Figures 1, 2, and 3, was also received by the Elections Commission. After reviewing all evidence provided, the Elections Commission has reached a decision.

The Elections Commission has determined that there were no violations of the Elections Code or other ASUCI, UCI, State, or Federal policies by the defendant; therefore, no punitive measures shall be imposed. Results for the ICS Senator race will be posted in accordance with the Elections Timeline and Elections Code (by April 30th at 5PM due to the race having a complaint and the possibility of appeal to the Judicial Board).

In coming to this decision, it was of paramount importance to the Elections Commission that the statement made by the owner of the Discord account be considered. The Discord message in question was sent by user “ashes” on April 14th, 2024, at 22:23, based on the timestamp above the message (Figure 1). We have determined that the Discord account is owned by Ashley Cheng.

The crux of the alleged violation lies in the claim that the Discord message was sent by the owner of the account “against” their “will” in a Discord chat. Ashley Cheng, who has since been confirmed as the owner of the Discord account, stated that the message was sent of her “own volition” and that the defendant did not “coerce, bribe, or use her power to force me to post her campaign” as alleged by the complaint (Figure 4). In the complaint, it was charged that Elections Code Article XXI § C(4) was violated by the defendant failing to comply with University policy, including Housing Complex Rules and State and Federal Law. After considering Ashley Cheng’s statement and reviewing the relevant policies, we find that no such violation was made.

In accordance with Elections Code Article XXII § A, this decision may be appealed to the Judicial Board by the deadline listed in the Elections Timeline of April 25th, 2024, at 5PM.
Official Complaint Filed.

<table>
<thead>
<tr>
<th>Filed by</th>
<th>Pragya Jhunjhunwala</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who is this complaint against?</td>
<td>ASUCI Candidate</td>
</tr>
<tr>
<td>ASUCI Candidate</td>
<td>Chidera Okoroama</td>
</tr>
<tr>
<td>Date Occurred</td>
<td>April 14, 2024</td>
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<tr>
<td>Time Occurred</td>
<td>10:33 PM</td>
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</table>
Complaint

To the Elections Commission,

I extend my deepest gratitude to the team for your exceptional work in managing the elections this year. The team’s unwavering dedication to ensuring a successful election season is commendable.

Furthermore, I request confidentiality during the investigation and reporting stages of this matter.

I am submitting a formal complaint against a competing candidate, Chidera Okoroama. I believe that there has been a breach of the Elections Code, specifically:
Section XXI.C.4: “Failure to comply with University policy, which includes Housing Complex Rules and State and Federal Law."

The evidence I am attaching are screenshots of a discord group chat. In the screenshots, the user under the name “ashes” has put up a message regarding the campaign of Chidera Okoroama. However, the next message reading “My RA hacked me.” has to do with the violation.

This implies that Chidera Okoroama used her role as a Resident Advisor and made one of her residents campaign for her against the resident’s will. This is an abuse of power by the candidate.

With the campaigning and voting concluded it seems appropriate that the “Level 5 Disqualification” be considered as a measured response to the actions in question.

I trust that the Commission will handle this matter with the utmost discretion and integrity.

Thank you.

Regards,
Pragya Jhunjhunwala

File Upload


Hello everyone,
My name is Chidera and I'm a second year Business Information Management major.

I'm applying to become your next ASUCI ICS Senator. As a first generation student, I understand what it feels like to be faced with imposter syndrome, mental health issues, and facing issues with faculty when it comes with change of major. I'm here to serve you by being as transparent as possible and providing you with raw data on my work and commitments as your ics senator.

I do not only promise to be a good senator, I will bring you along my journey as I go through my role ensuring full transparency.
I do not only promise to be a good senator, I will bring you along my journey as I go through my role ensuring full transparency.

You can trust me to be honest and 100% here for you. Voting starts @9am starting Monday, April 15th to April 19th @5pm.

With absolute love and respect,
Chidera Okoroama
Your next ICS SENATOR!

https://elections.uci.edu/
2024.
ASUCI Elections

Zoom: https://uci.zoom.us/j/98113158605
In person: Student Center, Crystal Cove Auditorium

Monday, April 8th, 2024:
ASUCI Presidential Debate @ 6:30PM
ASUCI Internal Vice Presidential Debate @ 7:15PM

Tuesday, April 9th, 2024:
ASUCI Ex...

My RA hacked me.
Defendant Email Reply to the Elections Commission Regarding Complaint.
Sunday, April 21st, 2024, 5:21 PM

From: Chidera Okoroama
Hello All,

I would like to start off by saying that these allegations are false. Ashley Cheng has also been cc'd in this email so she can see all of our conversations.
To say that "made one of her residents campaign for her against the resident’s will" is false allegations and defamation and is grounds for a lawsuit.
Ashley and I are willing to come in person and testify, if I also need to bring my lawyer I will. There were multiple witnesses for when this event took place and I can also bring them along to testify.

Hoping to hear from you soon,
Chidera Okoroama

Email Statement from Ashley Cheng.
Sunday, April 21st, 2024, 9:30 PM

From: Ashley Cheng
I, Ashley Cheng, of my own volition chose to send into the discord Chidera Okoroama’s election campaign poster. She did not in anyway coerc, bribe, or use her power to force me to post her campaign. We are good friends and I support her campaign. She is a kind an honest person who deserves to run.

Ashley cheng
UCI 2027

Figure 4.
Appendix.

Relevant Sections of the ASUCI Elections Code

XXI. VIOLATIONS OF ELECTIONS REGULATIONS AND PENALTIES

A. The purpose of the Elections Code is to protect the rights of the student body to make informed and independent decisions about candidate(s) or slate(s) and other ballot measures, as well as to ensure that candidate(s) or slate(s) have an equal opportunity to garner votes. Therefore, disqualifications should be reserved for instances where there are serious violations of student rights that impede students' ability to fairly or fully participate in the democratic process.

B. The Five (5) Levels of Punitive Measures are as follows:

1. Level 1 Censorship: Censorship of a candidate(s) or slate(s) in violation of an ASUCI Elections Code. The censorship will require the Elections Commissioner to review and approve any publicity methods and content the disciplined candidate or slate wishes to utilize over the duration of their censorship period. Censorship would only be reserved to be invoked into action during the election cycle to have some punitive measure on the candidate or slate. It may not be employed after the election has ceased/ended. Censorship will require the ASUCI Elections Commission to publish a statement to the ASUCI website’s elections page (and may employ ASUCI social media) stating that a candidate(s) or Slate(s) has/have been found guilty of a said violation and that ASUCI Elections Commission condemns this action by the candidate or slate.

2. Level 2 Restrictions on Posting: Restrictions on posting will include a moratorium on any type of posting of campaign material for a candidate, slate, candidates, or slates on any surfaces outlined in the UCI posting policy. This moratorium shall last for three (3) days and shall not permit the candidate or slate to put up additional campaign material for three (3) days from the exact time that the ASUCI Elections Commission formally notifies the candidate or slate. It will be noted by the Elections Commissioner what time the ruling was made and that this punitive measure shall last until that time has elapsed for a period of three (3) days. If Level 2 is imposed on a candidate(s) or slate(s), neither they nor their campaign will be able to put up new material but will be permitted to keep up whatever material they already have. Candidates or slates will also be permitted to continue to booth and pass out campaign material with their campaign team to pedestrians. This measure can only be employed during the election cycle and not after it has ceased.

3. Level 3 Moratorium of Boothing and the Distribution of Campaign Material: This level shall include aspects of Level 2 requiring a candidate(s) or slate(s) and their campaign(s) to cease the posting of campaign material on any surfaces outlined in
the UCI posting policy (excluding already posted material), prohibiting bothing for said candidate(s) or slate(s) and their campaign(s) on UCI grounds or anywhere administered by the Student Center that rents spaces, and the ceasing in distribution and solicitation of campaign material to pedestrians for three (3) days. The exact time of this ruling shall again be noted by the Elections Commissioner and recorded, and the punitive measure shall be carried out for three (3) days from that time recorded. This measure can only be employed during the election cycle and not after it has ceased.

4. Level 4 Suspension of Campaign: This level shall include the full suspension of a said candidate's or slate's campaign. This includes a full cease in bothing, posting of campaign material, soliciting about one's campaign/candidacy on UCI grounds, and a cease in the distribution of campaign material/literature to the general populace. In addition to the suspension of the campaign, the ASUCI Elections Commission shall also release a notice like the one from Level 1, expressing the charges and publicly condemning the action of the candidate(s) or slate(s) and their campaign(s) through the medium of the ASUCI Elections website (and the social media available to ASUCI if deemed necessary by the Elections Commission). This punitive measure shall be implemented for seven (7) days from the ruling and the exact time as to when the ruling was issued, and it shall be enforced for seven (7) days from that time. This measure can only be employed during the election cycle and not after it has ceased.

5. Level 5 Disqualification: The measure of disqualification can be evoked both during the election cycle and when it has ceased. It is the only punitive measure that can be enforced at both times. Disqualification shall be reserved as the highest form of punishment for violating the ASUCI Elections Code. Its use, like the other levels of the Five (5) Levels of Punitive Measures, shall be evoked at the discretion of the ASUCI Elections Commission.

C. The following violations are grounds for punitive measures of a candidate or slate, depending on the severity of inappropriate conduct as determined by the Elections Commission:

1. Failure to turn in a Financial Statement/Slate Financial Statement by the deadline specified in Article VII.
2. Receiving donations or endorsements in violation of this Elections Code.
3. Falsifying Candidate or Slate Endorsement Forms or endorsements on any advertisement, poster, leaflet, or other campaign materials.
4. Failure to comply with University policy, which includes Housing Complex Rules and State and Federal Law.
5. Failure to comply with University posting policy.
6. Campaigning or public announcement of candidacy or slate prior to filing a Declaration of Candidacy or Slate Declaration Form.
7. Failure by parties or individuals who endorse/support a candidate or slate to abide by the Elections Code.
8. Solicitation of votes inside or within 50 feet of unofficial polling locations.
10. Failure to comply with the UCI Principles of Community.
11. Endorsing or approving an endorsement of a candidate or slate on behalf of a club or organization when one is simultaneously a candidate for ASUCI Office, and the club or organization had one (1) or more approved signers who was not standing for ASUCI office.

D. All complaints must be submitted on an official ASUCI complaint form. Official complaint forms are available and must be submitted to the front desk of the Student Government Student Media (SGSM) Business office or other required method.

E. Complaints by individuals shall be in writing and shall include the following:
   1. The Article, Section, and Part of this Code that has been violated and supporting evidence (e.g., images, audio, video, documents, etc.).
   2. Who allegedly is in violation.
   3. Where the alleged violation occurred.
   4. When the alleged violation occurred.

F. Any member of the Elections Commission may initiate a complaint.

G. The Elections Commission shall review all official complaints and, if necessary, hold Evidentiary Hearings to try the complaints. Decisions rendered by the Elections Commission will be published as specified in the elections timeline.

H. The Elections Commission shall provide the accused candidate or slate with an opportunity to respond to the charges in writing or a recorded meeting. The Elections Commission will meet with the accused candidate or slate and the complainant. This meeting is an Evidentiary Hearing, and official minutes will be taken by a Deputy Commissioner to be presented to the Judicial Board to determine whether the decision was made constitutionally in the case that the decision of the Elections Commission is appealed by the candidate or slate.

I. In cases concerning a slate and an appeal has been filed, the Elections Commission will set up a panel that the slate members may attend and present evidence and allow the Elections Commission to determine responsible parties within a slate for punitive measures.

J. The deadline for submitting complaints and its procedure is outlined in Article VII Timeline.

**XXII. PROCESS OF APPEAL**

A. Any candidate or slate may appeal any decision of the Elections Commission to the ASUCI Judicial Board within the timeline established in Article VII by filing a "Petition for Hearing" to the Judicial Board Chair.
1. The right to appeal shall be forfeited if a candidate or slate fails to file a petition within the timeline established in Article VII.

B. The petition must explain all charges and contentions, cite the rule, principle, or constitutional clauses at issues, and state the remedy sought. The candidate or slate may not introduce new evidence, as the purpose of the hearing is to determine the constitutional soundness of the Elections Commission’s decision process, not a re-trial of the evidence previously tried.

C. Upon receiving a petition, the Judicial Board shall convene to review the evidence presented and shall make its own determination whether to hold a formal meeting.

D. Any decision of the Judicial Board is final.