

## **Election Violation Summary –as of 04/22**

As you may be aware, there have been reports that some election rules, essential to the election process being run in a fair and just manner, have been broken. Haley Gluhanich and Marisa Balanda have been identified as individuals who have allegedly broken one or more of these rules.

The rule in question is rule 9 on the back of the election form. This rule states:

- Candidates may not be around or intimidate students while they are casting their ballot.

This rule was changed in the updated constitution to be rule 6 and to reflect:

- Candidates may not intimidate students while they are casting their ballot.

While the term intimidation is open to interpretation, I feel that the impact of an action is more important than the intention behind it. No one in senate felt that it was too vague when the update to the constitution were passed. Additionally, Haley Gluhanich was part of the group of individuals that made this constitutional change as she sat in Patrick McKenna's policy committee during this time so she was more than aware of the rule's existence.

A report was made late in the evening of Monday, April 9<sup>th</sup> by a First-Year via email indicating that three women had knocked on her door a few days prior. The student noted that one of the three women asked her to sign her petition form, which she signed. The student noted that another of the three women then introduced herself as "Haley" and asked if she had voted for student senate. When the student responded saying that she had not, the woman noted that it would only take a few seconds and proceeded to hand the student her phone and the three women stood and waited while she voted. The student noted that she "felt like (she) had to vote for the two of them as they were watching (her) do it". This student later confirmed that the two women who were running in the election she voted for were Haley Gluhanich and Marisa Balanda.

On Monday, April 16<sup>th</sup> the Student Senate Executive Board met with Haley and Marisa to hear their opinions on the matter and if they believed that they did in fact break any of these rules. Per statements made by Haley and Marisa, Haley Gluhanich went with Marisa Balanda and Laryssa Horodysky through First-Year residence halls on the evening of Friday, April 6. Per their accounts, and the accounts of others on that night, they were in the First-Year residence halls between 7pm and 10pm. Marisa stated that she never knocked on a door or handed anyone her phone but she did introduce herself if she did not know them. Marisa Balanda and Laryssa Horodysky stayed with Haley until around 9pm until Laryssa received all her signatures, after which Laryssa went back to her room in Stine, and Marisa went to her room in Patrick. Haley then went to East Quad.

Data from the election indicates that between 7pm and 10pm on Friday, April 6<sup>th</sup>, there were 48 votes casted for President and Vice-President of Student Senate. Of the 48 votes, 41 votes were casted by members of the Class of 2021. Of the total 48 votes, 41 of the votes were

casted for Haley Gluhanich and of the 7 people who voted for Anna Burns, 5 were from the Class of 2021. Therefore, 36 of the 41 votes casted by the Class of 2021 on Friday, April 6<sup>th</sup> during the time that Haley Gluhanich, Marisa Balanda and Laryssa Horodysky walked through First-Year residence halls, were casted for Haley Gluhanich. This represents a drastic shift from earlier voting trends in the election process. For the Vice-President election, 31 of the 48 votes were cast for Marisa Balanda during this time. 27 of these votes for Marisa Balanda were from the Class 2021. During the timeframe from 7pm – 9pm, the period Marisa Balanda stated to be in the First-Year Residence Halls, 21 votes were cast. 16 of these votes came from members of the Class of 2021. 11 of the 21 votes were casted for Marisa Balanda, and 10 of the 11 votes came from members of the Class of 2021.

Follow up statements from Haley and Marisa after receiving the data information above included Haley firstly noting that she believes that it is normal that 48 people would have voted in that time as she was actively encouraging people to vote in general. Further, Haley believes that getting so many first-year votes is not out of the ordinary as she claims to know many first-year students through her work with CAB, College Republicans and orientation-related activities, amongst others. She stated that she never explicitly asked students to vote for her. Haley also stated that there is nothing in the campaign rules against knocking on doors and that she would back away if people decided to vote so that they could make their own decisions and additionally she felt that the situation in the library with the CUB tables was very similar. Haley noted that she felt that “intimidating” including standing directly over someone, telling them who to vote for, watching them voting and using intimidating tones. However, I feel that handing someone your phone and asking them to vote in the privacy of their residence hall and room is different to encouraging people to vote in a public space such as the library, as this is less daunting.

An additional note from Haley included that she said members of the Executive Board strongly encouraged her to get people to vote for her on the Thursday before she went through the residence halls. She noted that she felt like these people was pressuring her to get votes, especially for herself. This action of encouraging students to run and get votes by students in senate and on the executive board was however not individual to Haley, but also expressed to other candidates.

As per the current constitution election rules, I as the Vice President, have full discretion over what the outcome of this potential election violation will be. Below is the section of the constitution that refers to this.

### **Section 6. Election Rules Concerns**

- A. The Vice President has the power to enforce the Election Rules of Article IV, Section 4.
  - 1. The Vice President shall have the power to enforce penalties including, but not limited to, disqualification of candidacy.
  - 2. The candidate has the ability to appeal penalties to the Board of Directors.

After much consideration, my decision regarding this matter is as follows:

1. Secretary Elections will be rerun during Senate on 04/30 and Marisa Balanda will be allowed to rerun.
2. Presidential Elections will be rerun and Haley Gluhanich will not be allowed to rerun.

I decided to rerun elections for President. I then created an impartial representative group of students who will not be involved with senate next semester to decide if Haley should be allowed to rerun or not. On Sunday, April 22 this impartial representative group of students met to make this decision. They unanimously decided via an online poll to not let Haley rerun.

Both students had the opportunity to appeal my decision, in which case they would have an appeal meeting with the Board of Directors who could vote to overturn my decision. Marisa decided not to appeal my decision and to go forward with the reelection process for Secretary. Haley decided to appeal my final decision. The Board of Directors will thus be meeting on Monday, April 23 to vote on whether Haley's appeal should be granted or not.

Please note that the Student Senate has been conducting its own independent internal investigation into this matter.