Complaint Part III

Misrepresentation of Endorsement
Complaint Allegation

Yajayra Gonzalez, candidate for ASI President, claimed that a campus organization, Gamma Phi Beta, endorsed her when they actually did not. (Fig. 1) This is a misrepresentation of that organization when they knowingly chose not to endorse Ms. Gonzalez.

As stated in the Election Code Article V (C) (6) “Misrepresentation in advertising or campaigning is prohibited.” (Fig. 2)

Also attached is a letter written by the President of Gamma Phi Beta, Emily Hsu, in response to seeing the campaign literature with said endorsement on it.
Fig. 2

Election Code Article V (C) (6)

Misrepresentation in advertising or campaigning is prohibited.

D. Identification of Campaign Materials.

All campaign literature, leaflets and other materials must bear the name of the candidate, organization, Interested Student or other individual responsible for the content and distribution of that campaign material. The name of the candidate who is taking ownership of the promotional item on their Campaign Expenditure Form must be visible to the constituents. Names that are discreetly displayed in a manner, such as on the back of buttons or the tags of clothing, is so deemed non-visible to constituents.

E. Campaign Interference Prohibited

No candidate, organization, Interested Student, or individual shall interfere with the
Proposed Remedy:

**disqualification** of the candidate because the candidate has the responsibility of abiding by the Election Code and keeping a careful watch over their campaign literature. This misrepresentation is offensive to the organization and potential voters may have been swayed by the endorsement.
Complaint Part IV

Campaigning in Prohibited Areas
Yajayra Gonzalez, candidate for ASI President, was seen campaigning in the ASI Government office which is a direct violation of the Election Code Article V (C) (5) (k) (Fig. 1)

Fig. 2 shows a campaign button in the ASI Board of Directors room and Fig. 3 shows that the button clearly says “Yajayra Gonzalez for President.” This has happened on numerous occasions but this is the only picture captured. This kind of behavior creates an unequal playing field for those actually following the Election Code.
Fig. 1

Election Code Article V (C) (5) (k)

1. World Wide Web (WWW), Internet, computer network or computer program may be used if they do not impede the educational process as outlined by CSUS and/or the California Educational Code or violate another subsection of this Election Code or local, state, or federal laws, ordinances, rules or regulations. Candidates, organizations, and Interested Students using World Wide Web (WWW) and Internet media, such as social media sites or pages, may only make reference to one candidate and use images of one candidate. Candidates, organizations, and Interested Students are responsible for monitoring posts online that may combine them with others.

3. Candidates and interested individuals must make themselves aware of and adhere to other campus entities’ policies regarding solicitation, including campaigning.

k. There shall be no campaigning or any kind during ASI Board Meetings or meetings of any board or committee under the jurisdiction of the ASI, nor shall any campaigning take place within fifty (50) feet of any ASI Office.

1. ASI resources, materials, websites, logos or other digital items, which ASI has sole rights to shall not be used in any campaign materials unless explicitly approved by the ASI Board. Any violation of this area will result in disqualification, unless it can be shown that the candidate was not aware of the violation and did not condone the violation, in which case the Elections Complaint Committee will fashion an adequate remedy.

b. Misrepresentation in advertising or campaigning is prohibited.

D. Identification of Campaign Materials
Proposed Remedy: 
**disqualification** of the candidate due to the direct violation of the Election Code. Campaigning in any ASI Office is strictly prohibited and grounds for disqualification.
Dear Election Complaint Committee,

My name is Emily Hsu and I am the president of Gamma Phi Beta here on the Sacramento State campus. Unfortunately, I am writing with great anger and irritation. Yajayra Gonzales, our newly elected ASI president, claimed on her fliers and on the ASI election page that she was endorsed by Gamma Phi Beta. I am writing to inform you that this is not the case. I feel that through her actions, our chapter was misrepresented and taken advantage of. I am very unhappy with this and would hope that she will be reprimanded for her actions. I look forward to hearing how you chose to handle this unfortunate situation.

Sincerely,

Emily Hsu
President, Delta Chi Chapter
Gamma Phi Beta Sorority
sacstategphibpresident@gmail.com