Decision of the Elections Commission
Ali Jangbarwala vs. Grace Poon
Submitted: Wednesday, April 21st, 2010 at 10:30 PM

Based on the information submitted, and after adequate review and discussion, the Elections Commission has cleared Grace Poon of any wrongdoing. In the complaint submitted, Ms. Poon was accused of entering the Sigma Alpha Epsilon house in Arroyo Vista on Monday, 4/12/2010 with the intention to solicit votes. Ali Jangbarwala claimed that Ms. Poon entered the house with a laptop to use to ask individuals in the house to vote for her for in the ASUCI Elections. The complainant states that Ms. Poon is in violation of Article XX, Section A, Clause 4 of the ASUCI Elections Code, which states that, "Failure to comply with University Policy, which includes Housing Complex Rules and Federal and State Law" will be subjected to an immediate disqualification. The complainant also cites Article XX, Section B, Clause 3, which states that, "Failure by parties or individuals who endorse/support a candidate to abide by the Elections Code" will also be subjected to an immediate disqualification.

During the Evidentiary Hearing, Ms. Poon stated that she was invited to the house by Individual 1, a resident in the house on Monday, 4/12/2010. When asked if Ms. Poon had come uninvited, Mr. Jangbarwala said that he assumed she came spontaneously, since he was not aware of anyone in the house that was familiar with Ms. Poon. Mr. Jangbarwala also assumed that Ms. Poon came into the house with a laptop with the intention to solicit votes from individuals by asking them to vote for her in the elections on her laptop. Ms. Poon denied bringing a laptop to the house and was able to produce a written and signed statement from Individual 2, the resident of the room in which Ms. Poon was occupying, claiming ownership of the laptop in question. While in the house, Ms. Poon claimed to have stayed in one room and did not do anything other than browse Facebook with her friends. She also claims to not have asked anyone to vote for her, or vote in general, and was not aware of anyone voting while she was in the room. Mr. Jangbarwala only saw her in one room, and took photographical evidence of Ms. Poon occupying the room. During the time Mr. Jangbarwala was in contact with Ms. Poon, he claims to have seen her asking people in the room to vote for her in the elections. Silva Arjian, a witness of Ms. Poon, accompanied Ms. Poon to the house that same night. Ms. Arjian was aware of individuals voting in the room, but she denied the fact the Ms. Poon solicited people to vote for her. Ms. Poon and Ms. Arjian acknowledged the fact that the individuals in the room were aware of her status as a candidate in the elections, but that Ms. Poon never asked anyone to vote for her.

After reviewing P. 26 of the Housing Policies located in the Undergraduate Housing Handbook & Planner, we have determined that there was not sufficient evidence provided to prove Ms. Poon went to the Sigma Alpha Epsilon house in Arroyo Vista with the intention to solicit votes. Ms. Poon says she was invited to the house, and Mr. Jangbarwala said he was not sure if someone had invited her or not. As an invited guest to a residence, we do not believe that it is possible for Ms. Poon to violate the housing policy in question. Ms. Poon was also able to provide a written and signed statement of an individual claiming ownership of the laptop found in Mr. Jangbarwala's pictures. Therefore, we do not believe Ms. Poon went into the house with the intention to solicit votes. Mr. Jangbarwala did not provide substantial evidence to prove

otherwise.

In the Evidentiary Hearing, Mr. Jangbarwala had acknowledged that he had cited the Elections Code incorrectly when listing violations. He cited Article XX, Section B, Clause 3 with the impression that he was potentially putting Jun Wang at risk because Sigma Alpha Epsilon had endorsed him in the 2010 ASUCI Spring Elections. This was not the case, and this part of the violation was dismissed by the Elections Commission.

Due to the reasons mentioned in this decision, the Elections Commission has determined that Grace Poon is not guilty of the charges filed against her.

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John Kim
Elections Commissioner

Complaint submitted as follows:
On Monday, 4/12, Grace Poon entered the Sigma Alpha Epsilon house with three friends and a laptop attempting to solicit votes. She came to the second floor and asked four people in a room whether we had voted, and when we replied no, she told us to vote for her. SAE endorsed Jun Wang for VP Student Services, so we felt uncomfortable with her watching over us as we voted on her laptop. I took a picture at 11:26 PM of her and two of her friends with her laptop on a bed in the room. I can take more pictures of the room to verify that it's a room in the SAE house rather than just a random room in AV. None of us actually voted for her as we knew that we endorsed Jun Wang.