

Appeal Decision — CSU 2022 Decision #2 Re: Slating and Logo Violation – Maia Lomelino

On March 29, 2022, I issued “Decision CSU 2022 #2 Re: Slating and Logo Violation”, in which I disqualified Lohit Goyal, candidate for Vice-President External, but declined to disqualify Karandeep Singh, candidate for President, from the election (the “Original Decision”). On March 30, 2022, Mr. Singh filed an appeal of the Original Decision.

Maia appeals the Original Decision on three grounds:

- - First, I'll address the slating issue.

I did the complaint as soon as the issue was brought to my attention. Yes, this was on the same day as the results of the election but as someone with an impeccable record both on CSU elections and as Board Member it was my duty to bring it forward.

- I will have to point here that even if using the same Canva template, both candidates kept the same slogan, colours and font scheme. My first bachelor's degree is in Digital Design and as a professional, I say their visual identity links them together even if some things are not identical, it's a matter of how it's perceived by the public. As they are from the same group of friends, - before the Courier's article was published, they followed each other on their Instagram accounts. - it's hard to believe they never realized their campaign was the same; and even so, it categorizes apparent slating.
- I saw that one of the candidates that got a student's phone and voted for them was disqualified. This behaviour and the incessant pressure for voting done to students by some candidates is absurd but even if not done directly by the Presidential candidate, he was benefited from it. While I was the whole week at home sick, with flu-like symptoms, candidates were coercing other students and asking for votes or voting for them, among others on Karandeep, which directly impacted the result of the elections. The receipt shows the person who used the student's phone to vote for Karandeep and other elected candidates I believe this cannot be disregarded as we don't know how many times it might have happened and how that could impact the results as a whole. The difference in votes between Loveleen and Mackenzie is 4 votes. Can we really pretend this might not have played a huge part in the outcome?

I note that Maia provided a response to the allegations Karandeep provided in his response to the original complaint. I will leave those to be read in the full appeal appended below.

The CSU Election Procedures (BD-06.1), Section on Appeals govern appeals of decisions of the Elections Administrator. This section provides that appeals of decisions of the Elections Administrator are to be made to the Elections Administrator. In essence, the section provides for a mechanism for the Elections Administrator to reconsider their own decisions.

The section also provides that an appeal must include “the decision being appealed”, “a description of the suspected errors made by the elections administrator”, a “statement of the remedy being sought”, a “the remedy being sought by the appellant”, and “supporting documentation that the appellant wishes to be considered”. In this case, the appellant provided an Instagram screenshot of Loveleen and

Karandeep sitting together. My consideration of the appeal will therefore be based on the documentation that has already been provided to me as well as the new screenshot.

The CSU Election Procedures section on Appeals states:

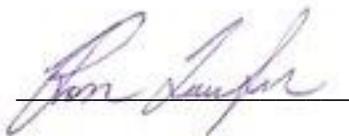
Upon receipt of an application for appeal, the elections administrator must consider the merits of the appeal, with the onus being on an appellant to prove that the elections administrator erred in the original decision. In considering an appeal, the elections administrator may request written responses from the complainant, respondent, or interested parties in the original complaint.

With respect to the first ground of appeal, Maia claims that they “complained as soon as the issue was brought to my attention. Yes, this was on the same day as the results of the election but as someone with an impeccable record both on CSU elections and as Board Member it was my duty to bring it forward.”. There is no concern with regard to the timing of Maia’s complaint, simply that with regard to the logo violation, I did not feel there was a remedy I could implement for such a violation. For all intents and purposes, after the election is complete, the only tangible remedy I have available to me is to disqualify a candidate, which is too heavy a sanction for a logo violation.

With respect to the second ground of appeal, Maia claims that even while the two candidates in question were using the same Canva template, “both candidates kept the same slogan, colours and font scheme”. This is true; however, it is also speculative that this is because they did so intentionally. As mentioned in the Original Decision, this template is an obvious template one would use for such a campaign and the slogan colours and font scheme are its default. Indeed, it would be much more clearly intentional if both candidates changed the fonts and other elements to something other than the default that matched each other. On a similar token, I note Maia included a new piece of evidence, a screenshot of an Instagram post that shows Karandeep and Loveleen sitting together, allegedly on the last day of the election. Even if this were on the last day of the election, they are not shown campaigning together at all, and as such this would not be considered slating.

With respect to the third ground of appeal, Maia claims that a separate case where I disqualified a candidate for handling other members phones and voting for Maia’s opponent shows that “even if not done directly by the Presidential candidate, he was benefited from it.” However, in that case, I disqualified the candidate for taking a member’s phone to cast a ballot instead of them. The fact that the candidate cast a ballot for Karandeep and other candidates doesn’t implicate Karandeep, it implicates the candidate that cast the ballot in an illicit manner and is speculative with regard to whether this was done enough times to affect the outcome of the election for CSU President (the margin between Karandeep and Maia is 75 votes).

Considering the whole of the appeal, I find that the appellant has not discharged their onus of proving that the Elections Administrator erred in not disqualifying Karandeep. Accordingly, I decline to reverse or alter the Original Decision.



Ron Laufer
Elections Administrator

Appeal from Maia Lomelino

Hi Ron,

I'd like to address some of the accusations made against me on this appeal. I would also like to appeal the decision.

- First, I'll address the slating issue.

I did the complaint as soon as the issue was brought to my attention. Yes, this was on the same day as the results of the election but as someone with an impeccable record both on CSU elections and as Board Member it was my duty to bring it forward.

according to the CSU bylaws:

Pursuant to the bylaws, slates of candidates and **slate-like behaviour by candidates, real or apparent, are prohibited**. Each candidate must run an independent campaign for election, and candidates must not share campaign resources or expenses. A "slate", in these rules, means two or more candidates who run together for elected offices for mutual advantage.

I will have to point here that even if using the same Canvas template, both candidates kept the same slogan, colours and font scheme. My first bachelor's degree is in Digital Design and as a professional, I say their visual identity links them together even if some things are not identical, it's a matter of how it's perceived by the public. As they are from the same group of friends, - before the Courier's article was published, they followed each other on their Instagram accounts. - it's hard to believe they never realized their campaign was the same; and even so, it categorizes **apparent** slating.

I saw that one of the candidates that got a student's phone and voted for them was disqualified. This behaviour and the incessant pressure for voting done to students by some candidates is absurd but even if not done directly by the Presidential candidate, he was benefited from it. While I was the whole week at home sick, with flu-like symptoms, candidates were coercing other students and asking for votes or voting for them, among others on Karandeep, which directly impacted the result of the elections. The receipt shows the person who used the student's phone to vote for Karandeep and other elected candidates I believe this cannot be disregarded as we don't know how many times it might have happened and how that could impact the results as a whole. The difference in votes between Loveleen and Mackenzie is 4 votes. Can we really pretend this might not have played a huge part in the outcome?

I would not have come forward with the complaints if I was not worried about the integrity of the election process, which I carry with the utmost regard. I am from a country where people

got arrested, tortured, disappeared, fighting for the right to vote. Even my mother got beat up by the police during the Military Dictatorship in Brazil. - But this is not the issue.

I am saddened by how candidate Karandeep took things personally and accused me of abusing my position - which never happened - and defiled the integrity of the Capilano Courier.

I had a paid ad on the Courier's Instagram as had other candidates (Francisco, for example) and as is completely legal as per the elections rules. I follow the Courier as a student as it's my right. I also contributed with articles for the Courier before becoming President of the CSU as is my prerogative as a Capilano University student. However, I have no personal connection with the Courier or its editor.

The series of interviews about the 50th anniversary of the CSU is an ongoing feature by the courier that has interviewed CSU alumni and board members throughout the year. I took a lot of care to not mention anything related to the elections when I was interviewed for the mentioned piece as I was representing the CSU as President and spokesperson, which is literally my job as President.

It is also my job as President to uphold CSU values and bylaws, and lead by example, which I have been doing since my first run as Women's Liaison; As President is also my duty to care about the CSU image. It goes without saying, I would not jeopardize the organization's image on purpose and would also not bring a complaint forward just for personal gain especially if that meant a risk to the organization's image.

The candidate mentions his mental health. I am deeply sorry that he is having such issues, Cap U students have access to the Empower Me service through the CSU, which I hope can help. I live with depression for 17 years now and I know the toll this election took on all of us. I am not unscathed especially after a science student anonymously tried to drag me into the whole mess being reported by the Courier, affirming someone I don't even know (Loveleen) was asking for votes for me during the week I was sick (at home, to protect my peers). This is even another proof the Courier was doing nothing more than its duty as a free press, to report information. It doesn't help that among other things I am dealing with a health issue that might be serious (doctors suspect a tumour) and will have to undergo breast surgery soon. My mental health is extremely affected by all this and now by these accusations. I will point out Loveleen and Karan are friends and can be seen together on Campus, which by itself doesn't mean much but can be problematic if not dealt with correctly during the election period.

I am very shaken by the accusatory tone on which Karandeep's defense is based. At any moment I accused the candidate personally or put his integrity as a person in check. In my brief complaint, I said, and I quote "Slating is against the elections bylaws and should be addressed as such. I would like an investigation about this **possible slating**." Emphasis on "possible slating".

As for the bizarre stalking allegation, I will treat them as what they are, bizarre. Karan's profile on social media is open, which means absolutely anyone can see what he posts, who he follows and etc. It goes without saying that the Courier's editor checking the candidate's social media amidst the whole issue being reported can only be seen as due diligence and freedom of the press, which I very much believe is a core value that can't be put into check, and I sincerely hope this was not the candidate's intention.

As for the use of the CSU logo, although considered a minor fault, it is still against the election's rules and the candidates should not rely on being told so as we all go through orientation before the campaign, have access to the candidates' handbook and agree to "play by the rules". It honestly worries me the amount of apparent disregard for the rules we've seen in this election.

It pains me that the outcome of this election is scarred by so much reasonable doubt. And that students might lose their trust in the process, as I've had many asking me if the elections would be cancelled altogether.

Thanks for your time,

Maia Lomelino

Ps: the attached shows a picture of Karandeep and Loveleen on her Instagram during one of the CSU's "treasure hunts" that happened on March 17th.

10:03 ↖



love_leen026 8h
☆ REC by harman.only >



Finally we found it this time

@CAPSTUDENTUNION

#TREASUREHUNT



Send Message

