

The University of Alabama
Student Government Association
Student Elections Board Ruling

ELECTION: Spring 2023 SGA General Election

HEARING DATE: February 27, 2023

COMPLAINANT: Robbie Khalil

ALLEGED: Xzarria Peterson, VP for Diversity, Equity, & Inclusion Candidate

ELECTION CODE VIOLATION(S): XIX.D.1. Election Fraud & XIX.D.2. Campaign Ethics

ELECTIONS BOARD DECISION:

By a vote of 7-0, the Elections Board found the Peterson Campaign in violation of XIX.D.1. Election Fraud which is defined “as any willful act, deed, or conspiracy that violates the integrity of the electoral process before, during or after actual voting occurs.” Elections fraud includes but is not limited to “attempting, with or without success, to coerce or procure votes by the use of threats or intimidation” and XIX.D.2. Campaign Ethics Violations. The Elections Manual specifically states that “candidates are expected to conduct themselves in an ethically appropriate manner in accordance with Student Government Association documents and the Code of Student Conduct” and details prohibited actions, of which include “coercing or using valuable incentives to induce an individual to vote for a particular candidate or issue.” After review of the violation, the Board finds Peterson’s actions in the “Progress with Peterson” GroupMe to be both fraudulent and unethical. The messages sent by candidate Peterson encourage manipulation and actions contradictory to the Capstone Creed and Student Elections Manual.

In a hearing with the Board, Peterson stated that the “Progress with Peterson” GroupMe was private, and that all persons in the GroupMe were close friends and as such, understood the ‘intention and joking nature’ of her remarks. It was determined that a link to join the Progress with Peterson GroupMe was posted publicly on Peterson’s Instagram. It is the opinion of the Board that as an individual in the GroupMe clearly took issue with the messages, it is incorrect and dismissive to claim that all persons understood the ‘intention and joking nature.’ Further, Peterson shared with the Board that after receiving the elections violation, she and her campaign team removed individuals from the GroupMe with whom they did not share a personal relationship. Additionally, Peterson stated that in the hours following the contentious messages being sent, she sent a clarification as well as a link to the Elections Manual. It is the opinion of the Elections Board that simply sending a clarification hours after the original message

does not exonerate nor justify her previous statements. The Elections Board expects all candidates to conduct themselves in a professional and ethical manner, and furthermore expects all candidates to behave in a manner that supports diversity, equity, and inclusion.

PENALTY:

The Peterson Campaign is awarded 18 points for two major campaign violations. Given that an accumulation of twelve points or a conviction of a major violation allows the Board to consider disqualification, a vote was called, and the Board decided unanimously to disqualify Xzarria Peterson from the Spring General Election.

Q1.1.

The University of Alabama Student Government Association

ELECTIONS VIOLATION COMPLAINT FORM *All information/blanks must be completed in order to be reviewed by the Elections Board*

Any member of The University of Alabama community shall have the right to file a complaint. Oral complaints will not be accepted, complaints **MUST** be filed in writing and will only be accepted via the following form.

Complaints **MUST** contain the following:

1. Name of the candidate and/or individual(s) who committed the alleged violation
2. Brief description of the alleged violation, including date and time of the incident and reference to the relevant provisions of the [Student Elections Board Manual](#)
3. Any applicable evidence
4. Printed name of the person filing the complaint
5. Signature of the person filing the complaint

No anonymous complaints will be reviewed. Further, complaints must be filed within 24 hours of the violation or within 24 hours of when the violation is known.

If you have questions regarding filing an Elections Violation Complaint Form, please email sgaelections@ua.edu.

Q1.2. Name of person filling complaint:

Robbie Khalil

Q1.3. Phone Number:

[REDACTED]

Q1.4. UA Crimson Email Address:

[REDACTED]

Q1.5. Date of Incident/Violation: (mm/dd/yyyy)

02/20/2023

Q1.6.

ALLEGED

Person(s) committing the alleged violation and for whom, the complaint is being filed against.

Xzarria Peterson

Q1.7.

ELECTION CODE VIOLATIONS

List specific election codes that were allegedly violated. Refer to the [Elections Manual](#) for the relevant provisions of the code. *Example: XIX.C.9. Exceeding campaign spending limit*

XIII. ELECTION FRAUD Election fraud shall be defined as any willful act, deed, or conspiracy that violates the integrity of the electoral process before, during or after actual voting occurs. Election fraud shall include, but not be limited to, the following acts: 1. Attempting, with or without success, to vote in place of another. 2. Attempting, with or without success, to coerce or procure votes by the payment, delivery, or promise of money or other article of value. 3. Attempting, with or without success, to coerce or procure votes by the use of threats or intimidation. 4. Retaliation for reporting election violations. 5. Making disparaging assertions with the intent to defame other candidates or campaigns. 6. Tampering or interfering with an election or a student's right to vote in the same, including, but not limited to, requiring someone to provide evidence of voting in an election.

Q1.8.

DESCRIPTION/NARRATIVE

Please provide a brief description of the alleged violation, including date, time, and location of the incident; along with a list of individuals who were involved and/or may have knowledge of the alleged violation.

Date: 02/20/2023 around 4:40 pm (just saw today) Location: Prosper with Peterson GroupMe Persons: Xzarria Peterson, Jackson Olmstead, and Campaign Team Violation: In the GroupMe titled "Prosper with Peterson" Xzarria Peterson is shown saying "like if you know athletes, other folks who can easily manipulate into reposting: DO IT." Further, she states "and be ridiculously annoying about it" "like im talking reposting in the class of "whatever" snap stories annoying". Jackson Olmstead goes on to say, "YESSSS I'll be like post this or ur ugly and dirty and big" then to say "and then they'll do it because they want to be skinny and petite and tiny and cute." This is a gross, and detrimental, violation of the elections manual as it is clear coercion and voter fraud. Forcing another member or "manipulating" them to vote is not only against the Capstone Creed, but the elections board manual. This was stated in an outreach GroupMe made by the Peterson team, and should be addressed ASAP to keep the integrity of our elections process.

Q2.1.

APPLICABLE EVIDENCE

Attach additional information and/or files for consideration.

[IMG_0031.HEIC](#)

78.3KB

image/heic

Q2.2.

PRINTED NAME

Please type your full name to indicate that you understand that this complaint report is **NOT** confidential and may be shared publicly, per *ARTICLE VIII Section 1 (D)(1)(c)* of the [SGA Constitution](#), which states that "the Student Elections Board shall publish **all** alleged election and campaign violations, as well as their respective decisions, on the SGA website following their Student Elections Board hearing."

Robbie Khalil



PROSPER WITH



View 2 pinned messages



dei prospering era



Xzarria Peterson

we need to be all hands on deck okay?



Xzarria Peterson

like if you know athletes, other folks who you can easily manipulate into reposting: DO IT



Xzarria Peterson

and be ridiculously annoying about it



Jackson Olmstead

YESSSS I'll be like post this or ur ugly and dirty and big



Xzarria Peterson

like im talking reposting in the class of "whatever" snap stories annoying



Jackson Olmstead

and then they'll do it because they want to be skinny and petite and tiny and cute



sassy mednikow



Jackson Olmstead



Send Message...



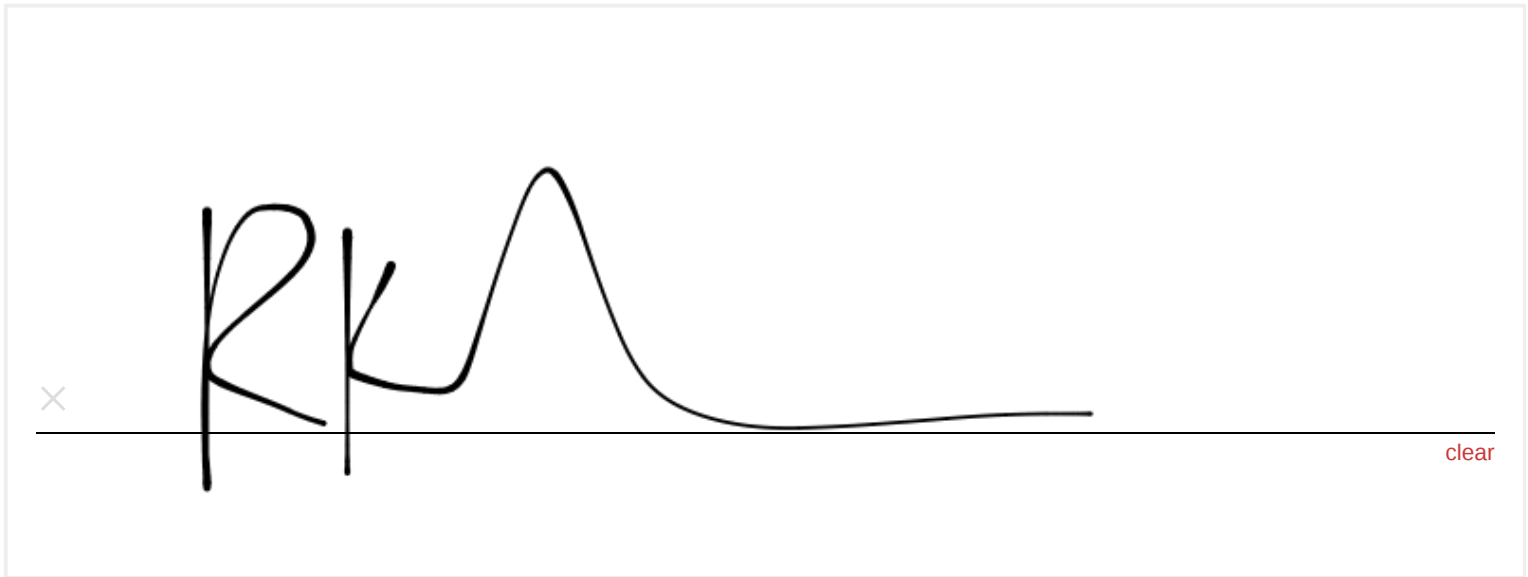
Q2.3.

ELECTRONIC SIGNATURE & POLICY ACKNOWLEDGEMENT

Knowingly filing a frivolous or bad faith complaint may result in the individual or campaign filing the complaint being subject to sanctions and/or referral to the Office of Student Conduct (OSC) for review and adjudication.


By signing below, I confirm my understanding of the aforementioned Elections Board policy on filing complaints and certify that all information contained in this report is true and correct to the best of my knowledge. Further, I acknowledge and understand that should this complaint result in a hearing, that both the alleged violation and the decision of the Student Elections Board shall be published on the [Election Violations](#) page of the SGA website within twenty-four hours after the violation has been ruled upon.

A signature is required to submit this form. Please sign below using your mouse cursor (or finger, if you are using a tablet or other mobile device with touchscreen capabilities) to indicate your acceptance of the above stated terms.



A signature line with a handwritten signature 'RK' in black ink. The signature is written on a horizontal line. To the left of the line is a small 'x' icon, and to the right is the word 'clear' in red text.

Q2.4. Captcha Verification

 I'm not a robot 
reCAPTCHA
Privacy - Terms

Location Data

Subject: RE: Elections Board Notice of Reported Campaign Violation 1
Date: Wednesday, February 22, 2023 at 8:32:38 AM Central Standard Time
From: Xzarria Peterson [REDACTED]
To: sgaelections <sgaelections@ua.edu>
Priority: High
Attachments: image001.png

Good morning,

I am more than happy to meet with you all today or at a later date to discuss this further. At this time, it is the campaign's position that the allegation of the violation of Article XIII of the Elections Manual lacks merit. While I cannot deny sending the private GroupMe messages listed in the complaint, the campaign did realize the possibility of misinterpretation of the previous messages. Therefore, I did follow up with this statement two separate times the same day, once at 5:04 pm, with a link to the Elections Manual asking everyone to review it, and again at 9:55 pm, explicitly stating ground rules to begin the campaign period, that all campaign volunteers should follow. All campaign volunteers had previously worked with me last year and are well-versed with the Elections Manual and have not violated the integrity of the electoral process before voting, and we intend to continue to uphold the same standard for the remainder of the campaign period and also after voting.

Additionally, it is the firm position of the campaign that at no point, did we commit any willful act, deed, or conspire to procure votes. The messages that were submitted as part of the complaint were referring to campaign graphics on social media and were not persuading a student to vote in any particular way, nor interfering or tampering with their right to vote. We also vehemently deny that the campaign encouraged any students to vote in place of another student, to coerce or procure votes by payment, delivery, or promise money or another article of value, or by use of threats and intimidation, nor did the campaign make disparaging assertions with the intent to defame other candidates or campaigns in the messages submitted as part of the complaint. The language used in the messages, specifically the lack of proper usage of grammar and excessive use of adjectives implies that the messages sent would be understood by any reasonable person as not an official position of the campaign, nor a sincere remark.

I would like to continue to reiterate that the messages submitted with the complaint were in reference to asking others to share social media graphics and were not asking any students to vote for a particular person

In conclusion, the campaign understands the magnitude of the allegations being brought against us but firmly believes that these allegations lack the merit to be considered a violation of Article XIII of the SGA Elections Manual. We look forward to the opportunity to further explain the campaign's position relating to these allegations to the Elections Board and we thank you for reaching out to us regarding this allegation.

Best,

Xzarria Peterson

Political Science and Criminal Justice/ International Studies, Pre-Law Student
College of Arts and Sciences Senator/ Student Government Association

The University of Alabama

[The University of Alabama](https://www.ua.edu)

Phone [REDACTED]
[REDACTED] | [REDACTED]



From: sgaelections <sgaelections@ua.edu>

Sent: Tuesday, February 21, 2023 9:36 PM
To: Xzarria Peterson [REDACTED]
Cc: sgaelections <sgaelections@ua.edu>; John Dodd
Subject: Elections Board Notice of Reported Campaign Violation 1
Importance: High

Xzarria,

This email is to notify you that an Elections Violation Complaint was received against your campaign. Filed by Robbie Kahlil, the submissions alleges a violation of [Election Code XIII](#).
ELECTION FRAUD

Election fraud shall be defined as any willful act, deed, or conspiracy that violates the integrity of the electoral process before, during or after actual voting occurs. Elections fraud shall include, but not be limited to, the following acts: 1. Attempting, with or without success, to vote in place of another. 2. Attempting, with or without success, to coerce or procure votes by the payment, delivery, or promise of money or other article of value. 3. Attempting, with or without success, to coerce or procure votes by the use of threats or intimidation. 4. Retaliation for reporting election violations. 5. Making disparaging assertions with the intent to defame other candidates or campaigns. 6. Tampering or interfering with an election or a student's right to vote in the same, including, but not limited to, requiring someone to provide evidence of voting in an election.

More specifically, the complaint states that on 02/20/2023 at around 4:40 pm, "in the GroupMe titled 'Prosper with Peterson' Xzarria Peterson is shown saying 'like if you know athletes, other folks who you can easily manipulate into reposting: DO IT.' Further, she states 'and be ridiculously annoying about it' 'like im talking reposting in the class of 'whatever' snap stories annoying'. Jackson Olmstead goes on to say, 'YESSSS I'll be like post this or ur ugly and dirty and big' then to say 'and then they'll do it because they want to be skinny and petite and tiny and cute'."

This email, however, is NOT to notify you that you have received violation points by the Elections Board, but a request for your response to these allegations, including if you were invited by the organization to speak at the meeting. **According to the Elections Manual, you have twelve (12) hours to reply to the alleged violations for review by the Elections Board.**

Sincerely,

Elections Board

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Student Government Association
[The University of Alabama](#)
sgaelections@sa.ua.edu | <https://sga.sa.ua.edu/elections>