

COMPLAINT 21-SE-14

Petitioner(s): Anonymous

Respondent(s): President Arsalan Darbin

The following allegations were filed:

Article 4 Section 1 Clause 1: Campaigning is defined as the intentional direct or indirect solicitation of votes, the purposeful bolstering of one's personal brand and/or name, and/or any form of personal, group, or mass advertising initiated by the candidate or involved parties with the purpose of effecting the Recall Election outcome.

Article 4 Section 1 Clause 3: "Indirect solicitation of votes" is defined as an intentional attempt to obtain votes through materials that can be seen or heard by potential voters. Indirect solicitation means soliciting votes by means other than direct communication.

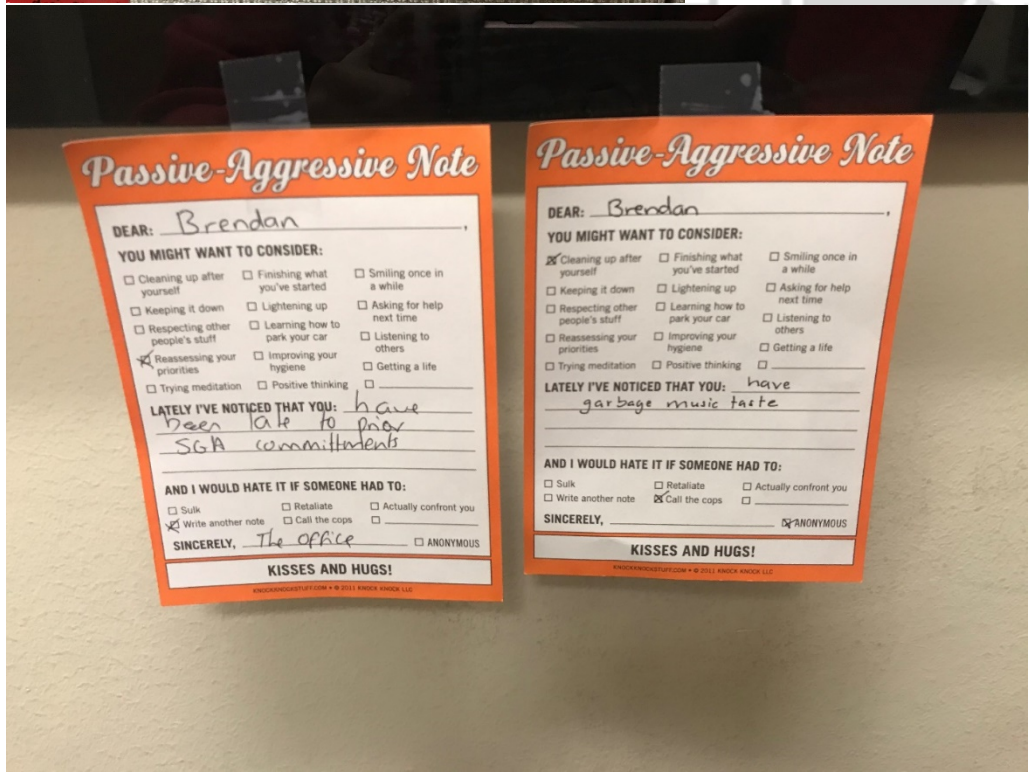
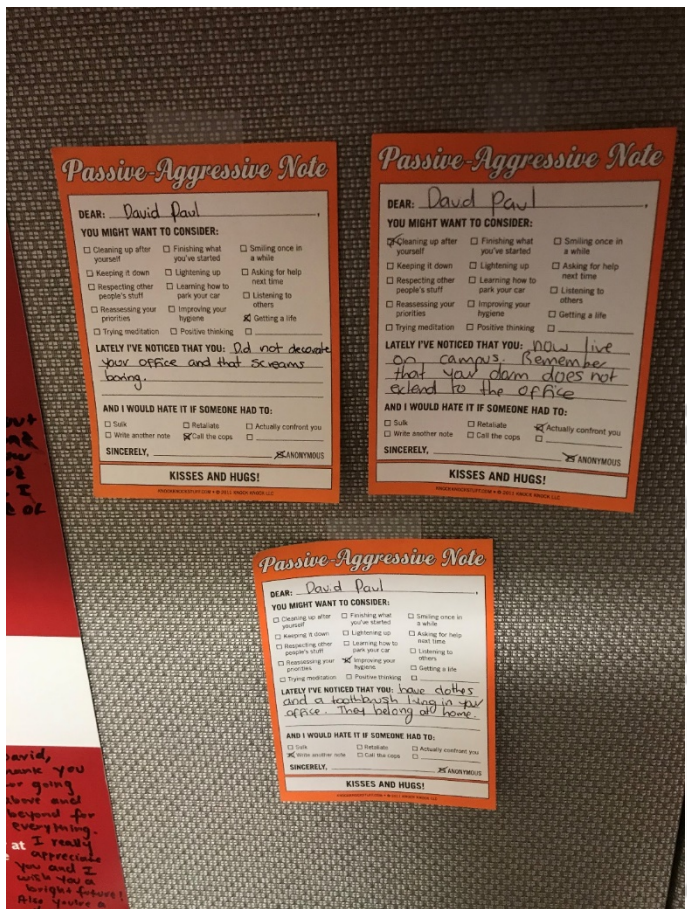
Arsalan Darbin is direct violation of the following clauses due to the uhsgarecall.com website: Article 4 Section 1 Clause 1: Campaigning is defined as the intentional direct or indirect solicitation of votes, the purposeful bolstering of one's personal brand and/or name, and/or any form of personal, group, or mass advertising initiated by the candidate or involved parties with the purpose of effecting the Recall Election outcome. Article 4 Section 1 Clause 3: "Indirect solicitation of votes" is defined as an intentional attempt to obtain votes through materials that can be seen or heard by potential voters. Indirect solicitation means soliciting votes by means other than direct communication. This can be done in-person, through text, by phone, etc. with the knowledge that it will sway votes in a particular direction. This website obviously solicits votes in favor of Arsalan Darbin. There is no need for deep investigation on that end. However, as Attorney General, your job is to investigate indirect solicitation of votes as they are not clear-cut cases. You must examine all the evidence and use common sense when coming to a final judgement in this case. To begin, there is a surplus of evidence connecting Arsalan Darbin to Daniel Johns, UH College Republicans, and several others who have posted in his favor either by bolstering his image or by directly attacking senators and cabinet members to indirectly bolster Arsalan's image. Images can be provided of Arsalan with these individuals upon request. Most important is the content mentioned on the website. For starters, the website claims that that SGA is being Islamophobic to Arsalan, "They take advantage of his commitment to his Muslim faith, attacking and gossiping about him knowing he won't say anything back, and then have the audacity to say he is unprofessional". Arsalan Darbin has never publicly stated this in the senate meetings nor in his special election statement. This must be from a personal conversation that Arsalan had with Daniel Johns. It also states "As a committed Muslim, Arsalan actively works to stop the gossip going on in SGA. Still, Members of the Senate have continually come to him and share gossip about others in the group to try to get him to join in." I see no reason why someone outside of SGA, someone who has never participated in an SGA event or come to the office would know of gossip whether or not the claim is true unless someone fed him that information. The website states, "They flipped his door tag upside down, wrote passive-aggressive notes, threw out and hid other SGA members' door tags, and on and on." This clearly has not been mentioned to anyone outside of SGA. Not in a senate meeting and definitely not in the statement. I am unaware of how someone who has never been to the office would know of these so-called passive aggressive notes

or about door tags WITHIN the office. It goes on to say, “\$7000 from last years budget was not spent and hence lost for use in his administration. The Vice-President was in charge of this, not Arsalan, and now she and the rest of this group blame him.” Upon looking at the senate meetings and the statement, I see no evidence that indicates that the Vice-President is the one who lost \$7000 in budget. It seems that the only person who would make this claim behind closed doors is Arsalan Darbin. I ask that the Attorney General do a thorough job of investigating this as this is their job and to inquire how a non-SGA member was able to acquire all of this information to create a website that is in obvious favor of the Arsalan when none of these statements can be found in Arsalan’s speeches nor his statements. This is obvious campaigning and is in violation of the recall election code.

- They take advantage of his commitment to his Muslim faith, attacking and gossiping about him knowing he won't say anything back, and then have the audacity to say he is unprofessional

- As a committed Muslim, Arsalan actively works to stop the gossip going on in SGA. Still, Members of the Senate have continually come to him and share gossip about others in the group to try to get him to join in.

-
- They flipped his door tag upside down, wrote passive-aggressive notes, threw out and hid other SGA members' door tags, and on and on.
-



Passive-Aggressive Note

DEAR: Victoria

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input checked="" type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: have major RBF and it is NOT cute

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input type="checkbox"/> Actually confront you
<input checked="" type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, _____ ANONYMOUS

KISSES AND HUGS!

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Passive-Aggressive Note

DEAR: Victoria

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input checked="" type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: spend more time chatting than actually working.

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input checked="" type="checkbox"/> Tell Keith

SINCERELY, _____ ANONYMOUS

KISSES AND HUGS!

KNACKKANDCASTUFF.COM • © 2011 KNACK KANDK, LLC

Passive-Aggressive Note

DEAR: Victoria

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input checked="" type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: Are easily flustered & annoyed

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input checked="" type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, The office ANONYMOUS

KISSES AND HUGS!

KNACKKANDCASTUFF.COM • © 2011 KNACK KANDK, LLC

Passive-Aggressive Note

DEAR: David

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input checked="" type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: Spend more time decorating your office than actually working

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input checked="" type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, XOXO ANONYMOUS

KISSES AND HUGS!

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Passive-Aggressive Note

DEAR: David

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input checked="" type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: live through jessica's legacy

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input checked="" type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, _____ ANONYMOUS

KISSES AND HUGS!

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Passive-Aggressive Note

DEAR: David

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input checked="" type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: have left your voting in-battle sit on the back burner

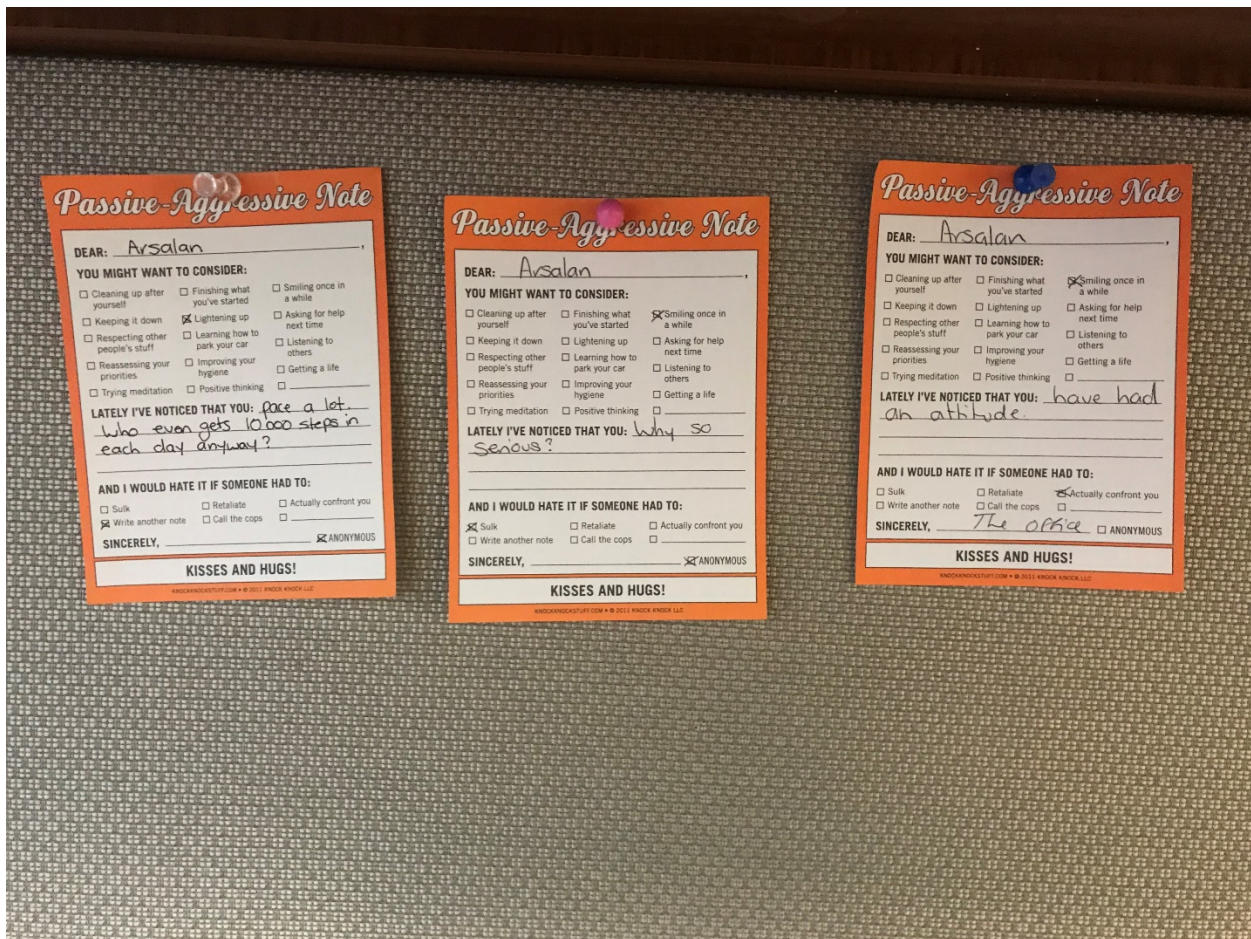
AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input type="checkbox"/> Actually confront you
<input checked="" type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, SGA team member ANONYMOUS

KISSES AND HUGS!

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Passive-Aggressive Note

DEAR: Arsalan

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input checked="" type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: pace a lot. Who even gets 10,000 steps in each day anyway?

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input type="checkbox"/> Actually confront you
<input checked="" type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, _____ ANONYMOUS

KISSES AND HUGS!

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Passive-Aggressive Note

DEAR: Arsalan

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input checked="" type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: Why so Serious?

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input checked="" type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, _____ ANONYMOUS

KISSES AND HUGS!

WWW.KNOCKKNOCKSTUFF.COM • © 2011 KNOCK KNOCK LLC

Passive-Aggressive Note

DEAR: Arsalan

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input checked="" type="checkbox"/> Smiling once in a while
<input type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: have had an attitude

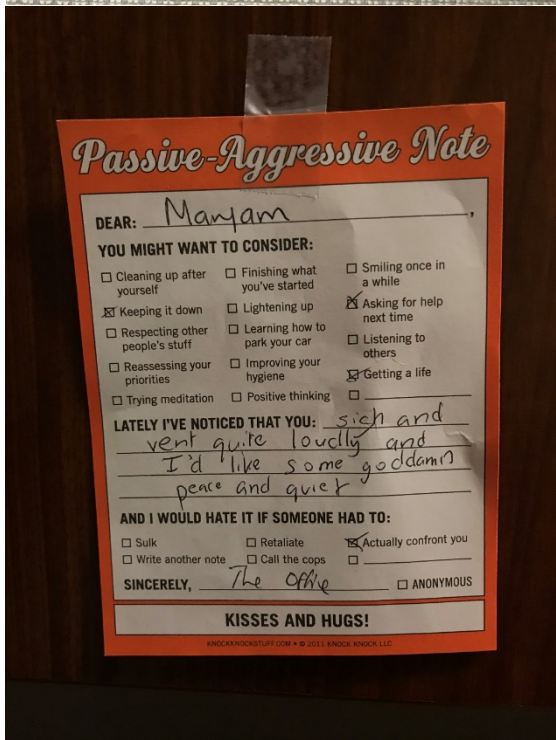
AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input checked="" type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, The Office ANONYMOUS

KISSES AND HUGS!

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Passive-Aggressive Note

DEAR: Manjam

YOU MIGHT WANT TO CONSIDER:

<input type="checkbox"/> Cleaning up after yourself	<input type="checkbox"/> Finishing what you've started	<input type="checkbox"/> Smiling once in a while
<input checked="" type="checkbox"/> Keeping it down	<input type="checkbox"/> Lightening up	<input checked="" type="checkbox"/> Asking for help next time
<input type="checkbox"/> Respecting other people's stuff	<input type="checkbox"/> Learning how to park your car	<input type="checkbox"/> Listening to others
<input type="checkbox"/> Reassessing your priorities	<input type="checkbox"/> Improving your hygiene	<input checked="" type="checkbox"/> Getting a life
<input type="checkbox"/> Trying meditation	<input type="checkbox"/> Positive thinking	<input type="checkbox"/>

LATELY I'VE NOTICED THAT YOU: sich and vent quite loudly and I'd like some goddamn peace and quiet

AND I WOULD HATE IT IF SOMEONE HAD TO:

<input type="checkbox"/> Sulk	<input type="checkbox"/> Retaliate	<input checked="" type="checkbox"/> Actually confront you
<input type="checkbox"/> Write another note	<input type="checkbox"/> Call the cops	<input type="checkbox"/>

SINCERELY, The Office ANONYMOUS

KISSES AND HUGS!

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I reached out to for a statement of defense to these allegations. He was given 5 hours to complete this, with a deadline of

The following defense statement was provided by the respondent:

I deny any role in the creation or distribution of any form of campaigning materials or online content. The statements and actions of independent students who have participated in this recall should not be associated with me. Furthermore, as the student body president, I have regular contact with and attend the general meetings of many student organizations. That by no means implies that I should take responsibility for the actions of those organizations or their officers during the recent recall election.

Course of Investigation: I examined the Petitioner's evidence and reached out to the Respondent for a defense. I went through the Special Election Code and identified if a violation was present.

Decision October 28, 2021 at 2:48am: Petitioner's complaint **LACKS** merit, and this **IS NOT** a violation of the Special Election Code.

Sanction: N/A

Conclusion: I would first like to address the ongoing concern between the impartial factor within the Justice Department. To be clear, *The Department of Justice is responsible for enforcing the law, defending the interests of the Student Government Association, and ensuring the fair and impartial administration of the Constitution and Bylaws of the Student Government Association.* Therefore, the impartiality of the Justice Department is not afforded to just one branch of SGA.

The decision upon no campaigning was agreed upon by the Attorney General Hutcherson and the advisors due to this not being an actual election, therefore, there is no one to campaign for. However, the 500-word statement was giving as an option for the student body to hear **your** words and experience, while giving the chance for the respondent (President Darbin) to defend himself without the devastation a campaign can bring.

Throughout the recall, I have heard your frustration about not being able to campaign. However, as the Justice Department it is our job to weight out the fairness of that decision. We determine that after how unsafe many senators felt after the meeting, we decided it would have been best to not campaign as that could be nasty for all party involved. Case in point.

Moreover, to the website in question. These are the type of protesting and campaigning we were trying to prevent with regards to the recall code as now uninformed parties of SGA is now being name due to their involvement on endorsing a recall bill. Again, to be clear, we never said you could not use your freedom of speech, however, the code asks for SGA members not to campaign or influence others to do so on their behalf, nor encourage students to vote in favor of their stance.

Although, some meeting minutes are now up, it would have been highly recommended to have direct students to the 10/06 meeting minutes on the SGA website so they could have made a more informed decision on their own without the need to campaign, as I saw how hard that night was for a lot of members of all branches of SGA.

Moreover, to the complaint itself. I do believe there were valid concerns within your complaint. Therefore, upon a further investigation, I cannot establish a link between President Darbin and the recall page.

1. To address the passive aggressive comment: *The website states, " They flipped his door tag upside down, wrote passive-aggressive notes, threw out and hid other SGA members' door tags, and on and on." This clearly has not been mentioned to anyone outside of SGA. Not in a senate meeting and definitely not in the statement. I am unaware of how someone who has never been to the office would know of these so-called passive aggressive notes or about door tags WITHIN the office..*

Without the minutes notes of 10/06 being up on SGA website, I cannot confirm nor deny if that is true, however, President did make that statement public on via his Recall statement which was publish to the DOJ UH website 10/15.

I will further state, "threw out and hid other SGA members' door tags, and on and on" these actions taken against students, is a form of bullying and should be address instead of wondering why it became public.

SGA Attorney General
Fri 10/29/2021 10:23 AM
To: SGA Deputy Attorney General

SGA_Special Election Stat... 244 KB
SGA Recall Election Code... 771 KB

2 attachments (1,015 KB) Download all Save all to OneDrive - University Of Houston

10/15/2021 12:15pm made public

Get [Outlook for iOS](#)

Reply | Forward

From: SGA Attorney General <sgadoj@Central.UH.EDU>
Sent: Friday, October 15, 2021 12:15 PM
To: Stehling, Kyle
Cc: Powellson, Tina; Kowalka, Keith T
Subject: Additional Updates

Hello again Kyle,

I hope that you are having a great Friday.

I have two more updates for the SGA website.

Statement Against the Recall - Written by President Arsalan Darbin:

This recall election was initiated without any evidence other than hearsay, no complaints filed to the Supreme Court for investigation, and consumes valuable time and resources funded through student fees. Nevertheless, I'm glad to inform the student body on the following matter.

While I was accused of "abusing [my] powers," my experience in the past 7 months was otherwise. I constantly found myself powerless when cabinet members rented golf carts and didn't return them for several days, clocked in for 40 hours while they are allowed to work for only 15 hrs/week, use the belongings of the office operator (who works at UH for 20+ years) without her permission, misuse the SGA funds to purchase air couches for their office, and write offending passive-aggressive notes for others (documents available). Can the President take appropriate disciplinary action to ensure accountability?

The testimonies heard during the recall were shocking and ironic. A member who has previously suggested administrators to "slip in additional charges to student fees," accused me of a lack of transparency in spending. Another, who has a history of making jokes about my accent and Middle Eastern origin, claimed to be discriminated against. And another, who usually finds it difficult to control his temper, accused me of threatening him with physical harm. I unequivocally deny those accusations, believe they are ad hominem attacks taken out of context, and are a projection of their own actions rather than mine.

Although I can't be sure about the motivations of those speaking against me, I cannot ignore the importance of vested interests. It's not that I have failed to perform my duties, but that I have not conformed with budgetary demands and the political agendas of certain individuals, intended for personal gains. If I have not violated any rules of the SGA Constitution and Bylaws, and there is absolutely no proof of the accusations made against me, who would be benefiting from my removal?

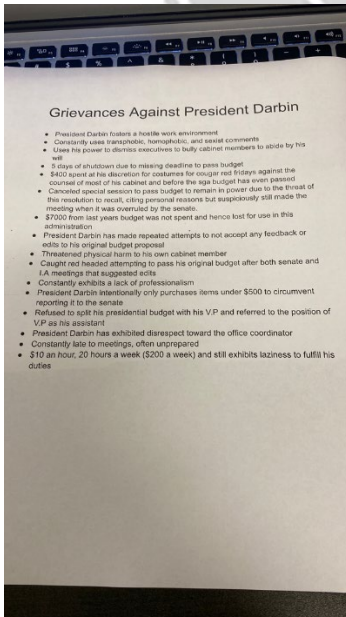
There has been no initiative benefiting the student body at large that I have not been supportive of. Despite that, the Legislative branch has only presented one piece of legislation in the last 7 months of this administration. This begs the question as to who is responsible for this shortcoming.

During the election, I have promised students (1) mental health (2) accountability (3) student success. I have not steered away from those objectives for a moment. This is reflected in the AFB Reform bill to allocate more funding to student organizations and the CAPS Expansion Act to improve psychological services on campus that I have initiated.

Does the student body want a President who stands up for what's right despite being unpopular? Do you support due process to investigate accusations? Do you want to keep public officials accountable for their actions? If yes, VOTE NO to the recall and uphold integrity in the Student Government.

Therefore, I, in good faith, do not believe that president Darbin is the only person who could have told Daniel John about statements within SGA because President Darbin's statement of defense was made public to the student body prior to the creation of the website.

2. To address the Muslim comments, (please refer to reasoning #1)
3. To address the comment "*It goes on to say, \"\$7000 from last years budget was not spent and hence lost for use in his administration. The Vice-President was in charge of this, not Arsalan, and now she and the rest of this group blame him.\" Upon looking at the senate meetings and the statement, I see no evidence that indicates that the Vice-President is the one who lost \$7000 in budget.*"



After extensive research, I found that, I cannot in good faith, connect President Arsalan to the website created by Daniel John, as many of his statements that were made was in response to the grievance which was made public 10/06 via paper, group me and reddit by various senators of SGA.

The Justice Department would like to remind SGA, that this was exactly what we were trying to prevent. As stated before, The JD do not have no jurisdiction over non-SGA students. We cannot stop them from campaign for what they believe in as it is their freedom of speech. The JD cannot and has not restricted anyone freedom of speech.



Respectfully,

A handwritten signature in black ink, appearing to read "Tiffanie Gordon".

Tiffanie Gordon

Attorney General

This complaint will be shared and made public on SGA website for transparency and archival purposes.