

The first article on this page was posted on the California Aggie website and the ASUCD website the night of March 15, but was removed from both sites by the Aggie editors. The reporter for the article (who did a great job) also stated that it was going to be printed in the following day's paper but it was unfortunately not printed on March 16th.

On April 7 the Aggie printed a new version of the article. The new version was different from the old version. They deleted a quote critical of ASUCD's actions and inserted a new quote that defends ASUCD's actions. They did not include new information by Green Party members. We understand that articles must be brief, but we feel the article presents an incomplete picture of the situation, partly because several quotes are misleading. Here we'd like to set the record straight with our perspective. Our comments are inserted in blue.

Tuesday March 16, 2004

Davis college greens file complaints against ASUCD

Complaints target student government administrators in dispute over voting results

By AIMEE THERON
Aggie News Writer

Davis College Green Party President Jonathon Leathers and Vice President Mike Siminitus filed two ASUCD Student Court complaints against ASUCD units Creative Media and the Student Government Administrative Office on Thursday in an attempt to "promote more transparency" in student government.

The complaint filed by Leathers alleges that SGAO and Creative Media failed to enforce rules that say important ASUCD documents - like ballot measures and student court case rulings - be made available to students online.

Leathers - a first-year political science major - said that the failure to enforce the bill, which was signed into law in May 2003, showed a "lack of communication" within ASUCD.

"The fact that they passed a bill and have yet to do anything about it nine months later shows that everyone points the finger at each other [in ASUCD] and nobody actually does anything."

Student Government Advisor Vicki Swett, who was named as a defendant in both complaints, said that she "couldn't agree more" that the documents should be posted online but that Creative Media lacked the manpower to carry out the provisions of the bill at the time it was passed.

Swett also said that ASUCD was in the process of discussing the issue when the complaint was filed.

"All of us were meeting to discuss how we're going to do this and decide if we needed to add more staff to Creative Media," she said. "The next thing I knew, there was a complaint being filed."

Siminitus filed the second complaint, which he said was related to the first, as they are both aimed at maintaining open government.

Ballot information from the winter quarter ASUCD elections will be released in the form of an 800-page printed document, which Siminitus said was "not acting in the letter and spirit" of the 2003 Choice Voting Amendment to the ASUCD constitution.

Not having the rankings in electronic format, he said, makes it "virtually impossible" for students and organizations to perform the allowed recount.

Siminitus added that to enter the printed data into an electronic format, "someone would need to go into [the SGAO] and type for two and a half months straight during every hour that they're open."

Chris Jerdonek, a member of the Davis College Green Party who is planning to testify for the plaintiff in Student Court, added that having the data more readily available for recount would "produce more integrity in the government."

However, Swett said that the person who created the elections program recommended that ballot rankings not be released in electronic format for security reasons.

"I was told that releasing ballot rankings could compromise elections in the future," she said.

Newly-elected ASUCD President Kalen Gallagher said that students who want to perform a recount can do so through the ASUCD Elections Committee.

He added that the ASUCD Constitution "says [ASUCD] has to give [students] a copy of the ballot rankings to check. It doesn't say that they have to be in a certain format."

In addition to the text of the constitution and the printed ballot rankings, Siminitus plans to use e-mail correspondence between Elections Committee Chair Mary Ball and Jerdonek as evidence in the case. One of these e-mails contains ASUCD's initial decision to provide the ballot rankings in text format.

A court date has not yet been scheduled to evaluate the complaints.

Wednesday April 8, 2004

Davis college greens file complaints against ASUCD

Complaints target student government administrators in dispute over voting results

By AIMEE THERON
Aggie News Writer

Davis College Green Party President Jonathon Leathers and Vice President Mike Siminitus recently filed two ASUCD Student Court complaints against ASUCD units Creative Media and the Student Government Administrative Office in an attempt to "promote more transparency" in student government.

The complaint filed by Leathers alleged that SGAO and Creative Media failed to enforce rules that say important ASUCD documents - like ballot measures and student court case rulings - be made available to students online. The complaint was nullified when ASUCD posted the documents on its website.

[The ASUCD Student Court never nullified the case. In fact they agreed to hear the case the following day. See the last paragraph of this article.](#)

Leathers - a first-year political science major - said that the failure to enforce the bill, which passed in May 2003, has until now showed a "lack of communication" within ASUCD.

Student Government Advisor Vicki Swett, who was named as a defendant in both complaints, said

before ASUCD took action regarding the complaint that she "couldn't agree more" that the documents should be posted online but that Creative Media lacked the manpower to carry out the provisions of the bill at the time it was passed.

[It only took Creative Media one week \(from March 8 to March 16\) to post the documents. Why did it take them 10 months to get around to one week of work?](#)

Swett also said that ASUCD was in the process of discussing the issue when the complaint was filed.

[On March 8 the Student Government Administrative Office was trying to tell Mike Siminitus that SB 48 \(the online document bill\) had never passed. It was only after Mike went to Kalen Gallagher and Kalen intervened that SB 48 was tracked down and ASUCD realized they were supposed to be posting the documents.](#)

"All of us were meeting to discuss how we're going to do this and decide if we needed to add more staff to Creative Media," she said. "The next thing I knew, there was a complaint being filed."

Siminitus filed the second complaint, which he said was aimed at maintaining open government. Ballot information from the winter quarter ASUCD elections will be released in the form of an 800-page, printed document, which Siminitus said was "not acting in the letter and spirit" of the 2003 Choice Voting Amendment to the ASUCD constitution. The ASUCD Student Court will decide whether to hear the second complaint today.

Not having the rankings in electronic format, he said, makes it "virtually impossible" for students and organizations to perform the allowed recount.

Siminitus added that to enter the printed data into an electronic format, "someone would need to go into [the SGAO] and type for two and a half months straight during every hour that they're open."

Davis College Green Party member Chris Jerdonek, who is planning to testify for the plaintiffs in Student Court, added that having the data more readily available for recount would "produce more integrity in the government."

However, Swett said the creator of the elections program recommended that ballot rankings not be released in electronic format for security reasons.

"I was told that releasing ballot rankings could compromise elections in the future," she said.

Senator Adam Barr echoed Swett's security concerns.

"There are certain tags in the electronic data that could enable someone to learn the mapping in the database and be able to hack into the system in future elections," he said. "Somewhere down the line it could end up being released to someone with bad intentions."

[The election data has nothing to do with the tags. ASUCD can easily strip any tags off the data. For instance, ASUCD could save the 800 page document as a plain-text file.](#)

Swett also added that if the rankings were to be electronically released, it would be the decision of the elections committee, headed by Mary Ball, and not of Alex Park, the director of Creative Media, who was also named in the complaint.

[What Swett is not saying is that Mary Ball makes her decision based on Alex Park and Vicki Swett's advice, since they handle the release of information. The Elections Committee would also have been included if they were not immune to court complaints by the ASUCD Constitution](#)

Creative Media is an ASUCD unit that designs various ASUCD websites, graphics and advertisements as well as providing computer support and programming services to ASUCD. In addition, Creative Media created the ASUCD Elections website and the original software used to count the choice voting

ballots.

Newly elected ASUCD President Kalen Gallagher said that students who want to perform a recount can do so through the ASUCD Elections Committee.

The ASUCD Constitution says that members of the public must be able to perform their own *independent* count. The Elections Committee is of course not independent.

He added that the ASUCD Constitution "says [ASUCD] has to give [students] a copy of the ballot rankings to check. It doesn't say that they have to be in a certain format."

A paper copy does not let students do a choice voting count. Also, the Government Codes *do* explicitly say that they must be provided in an electronic format.