



**72nd Student Senate
Investigative Board
Date: September 25th, 2020**

Admitted Evidence:

<https://drive.google.com/drive/folders/1Yaoo8Ja4A1eUI6BUwH9zbx0kqYcjXKxo?usp=sharing>

Recording: [https://adminmyfsu-](https://adminmyfsu-my.sharepoint.com/:f/g/personal/ec19c_my_fsu_edu/EIG4g4XE-MxNg6thLlbB1uwBv5Dkj6_8ET6Vutae_hLZ3A?e=Xp5C03)

[my.sharepoint.com/:f/g/personal/ec19c_my_fsu_edu/EIG4g4XE-MxNg6thLlbB1uwBv5Dkj6_8ET6Vutae_hLZ3A?e=Xp5C03](https://adminmyfsu-my.sharepoint.com/:f/g/personal/ec19c_my_fsu_edu/EIG4g4XE-MxNg6thLlbB1uwBv5Dkj6_8ET6Vutae_hLZ3A?e=Xp5C03)

Call to Order: 4:04 p.m.

Members Present: Chair Chabot, Vice Chair Little, Senator(s) Leckie, Murcia, Soto

Members Tardy: Senator(s)

Members Excused Absent: Senator(s) Wang

Members Absent: Senator(s)

Guests: Jack Rowan, Senator A. Gonzalez, Jonathan Marcus, Gigi Berrouet

Announcements:

- Chair - Monday we have an emergency meeting at 3pm. I will have another announcement at the end.
- Vice Chair - X
- Members -
 - Leckie: COVID Task Force will not be meeting officially on Saturday. But if you want to have a small group meeting let me know.
- Guests - X

Committee Business:

- **Deliberations**

Deliberations:

- Senator Murcia moves to enter Deliberations
- Senator Leckie seconds
 - Chabot: I would first like to deal with testimony we've already heard. I don't think we'll get anyone else in for testimony. We've sent emails and they haven't showed up. I emailed SBVP Janvier and the Director of Cabinet Affairs again, and they have still failed to provide minutes. The email was sent tuesday and I have still not received a response.
 - Murcia: **POI** Isn't that against statutes?

- Chabot: Yes, that is a statute violation. In terms of applications, it's clear what has happened. Their application process needs to be re-written and exec must be held accountable. Does anyone have comments?
- Leckie: Can we go through our official majority opinions?
- Chabot: Yes. *Reads all majority opinions made by board*
- Leckie: So we never made a ruling on John Alvarez?
- Chabot: Sadly, no. We also didn't make an opinion on Secretary Abhari.
- Leckie: Can we agree to discuss Secretary Abhari's case first? I know she was asked to sing during her interview. I also know she conducted the "interview" for Marcus before she was confirmed to the executive branch. I think there were two violations there, but I want to hear other opinions.
- Murcia: **POPP** where can I find the minutes?
- Chabot: They are in the Investigative Board google drive folder.
- Leckie: I believe it was 7/9 when Secretary Abhari testified.
- Chabot: Yes. We also received another qualtrics form submission. Go look under new evidence in folder F, Matthew Harris also confirms that he was asked to sing. He has not come in to testify to that yet, though.
- **Murcia moves to admit all current evidence submissions as evidence**
- **Leckie seconds**
 - VOTE Y (Murcia, Leckie, Soto, Little) N () A ()
 - **MOTION PASSES**
- Murcia: How do we get people to come into these meetings?
- Chabot: They have to submit evidence in the qualtrics. Then myself and VC Little reach out via email to let them know when to come in. Once they respond, we put them on the agenda.
- Leckie: I would like the committee to look at the 7/9 minutes when Secretary Abhari discusses a cabinet meeting. She says it was an official meeting, but minutes are not available
- Chabot: On Wednesday, there was a motion to expand this board's power to include all activities of the executive branch. So everything they do can be called into question.
- Leckie: The issue is that we know exec has discussed our investigation at meetings. But these meetings are not open to the public and do not have minutes. It's a violation of statutes and it impedes our ability to investigate. I think we should make a ruling on the minutes as well, and the lack of public notice. How do you think we should word this?
- Chabot: Would you bring up the statute you believe is violated?
- Leckie: 203.6 says minutes should be recorded at the time of a meeting and should be available to the public. I think that was violated. Especially after multiple attempts to get the minutes and giving them time to do their own internal investigation. Also rule 203.3 says that meetings should be public. These rules were both violated based on Secretary Abhari's testimony.
- Murcia: **POI** do we know the findings of the executive internal investigation?
- Chabot: When I asked the secretaries to come in and testify, I received a letter from AG Ready saying they needed time to investigate themselves. But I haven't received any communication on the matter since then.
- Murcia: Have we seen proof that the minutes even exist?
- Chabot: To my knowledge, they either exist and they haven't been provided to us, or they simply don't exist at all.
- Little: I feel it's more likely that they don't exist.
- Murcia: So what do we do from this point?

- Leckie: Well either way there is a statute being broken.
- Murcia: Is there a difference in the severity of the statute violations? Do we need to issue another subpoena?
- Leckie: I think exec has demonstrated that they won't comply with our requests, so we might be wasting our time with that. I'm of the opinion that they broke a statute no matter how you look at it.
- Murcia: Can we subpoena AG Ready for the findings of his internal investigation?
- Chabot: I would entertain that.
- **Murcia moves to subpoena AG Ready for the findings of his internal investigation of the executive branch**
- **Murcia withdraws motion**
- **Leckie moves to adopt majority opinion**
 - "The Senate Investigative board believes that 203.3 was violated, as the cabinet meetings "held under the auspices of the student government association" were not open to the public. Furthermore, 203.6 was violated as no minutes were published nor made available to the investigative board upon request."
- **Murcia seconds**
 - VOTE Y(Leckie, Murcia, Soto, Little), N(), A()
- Leckie: I don't think it would be productive to subpoena AG Ready. Even if we get them, I don't think their investigation will be objective. I don't know if it would change my mind.
- Murcia: I understand, I just feel like we haven't gotten a lot of info from them. This might be a good first step in communication. I would like to hear other opinions.
- Little: I'm not sure it's worth our time and effort right now, because there's a good chance he will not comply.
- Leckie: Is there anything else we need to rule on?
- Chabot: We have not ruled on Secretary Abhari or John Alvarez yet, if you want to make more majority opinions.
- Leckie: In the case of Mr. Alvarez, he was eventually given a seat and almost went to court over this issue. I think his situation was somewhat rectified and I'm not sure we need to make an opinion on that.
- Chabot: There is also the case of Secretary Abhari. For those who are new, she was asked to sing by SBVP Javier in an interview. She also conducted an interview for Jonathan Marcus while she was still a private citizen. She called Mr. Marcus to verify information, but ultimately we ruled that it was not an interview.
- Leckie: Do we think that this violates the statute about misrepresenting oneself as an SGA officer? I'm not sure. (statutes below)
 - Fraud in the Student Government Association 1. No officer or employee will willfully misrepresent themselves while acting in an official capacity.
 - No officer or employee will withhold information or documentation when mandated or provide false or misleading information or documentation.
- Soto: Since Secretary Abhari wasn't confirmed at the time, she probably shouldn't have made the call
- Chabot: Was she still Deputy Supervisor of Elections at the time?
- Leckie: I think she had resigned.
- Soto: Even though she was doing what she was asked by SBP Levin, she wasn't confirmed. So she shouldn't have done it.
- Murcia: This is also the second time this has happened. SBP Levin also did this with the Chief Justice candidate over summer

- Chabot: I'll clarify. The sponsors of a bill in Judiciary presented a forwarding letter for an associate justice signed by someone referring to themselves as "chief justice" when they were not serving in that capacity.
- Murcia: Can I move for a non board member to speak?
- Chabot: Yes
- **Murcia moves for a non board member to speak**
- **Soto seconds**
- Gonzalez: I just wanted to bring attention back to Secretary Abhari's situation. She would have been a private citizen at the time, so how can we hold her accountable as a secretary?
- Murcia: I think the issue is more so that she was told to represent herself that way. I don't think Abhari would have done that with malintent. The issues ordering someone else to do that.
- Gonzalez: I agree, Levin seems more at fault here.
- Murcia: No, I don't think this was done with malintent. I think she was ordered to represent herself like that. I don't want to punish her for something that's really not her fault.
- Leckie: If we make a majority opinion on this, how many people should we say acted while they were private citizens?
- Little: Should we say "one or more"?
- Chabot: I think there's more than one. I believe the person who sent the forwarding letter also said they were ordered to put "Chief Justice" on it.
- Leckie: I think that Secretary Abhari's case is stronger, but we can include that case too. Do we know who the person was who sent that letter?
- Murcia: I think it was sent in late July?
- Leckie: We're looking for the name of the individual who was asked to represent themselves as Chief Justice when they were not.
- Chabot: It was Abby Salter.
- Leckie: What specifically did she say?
- Chabot: *reads minutes*
 - Salter: "I want to apologize because in hindsight that was not appropriate. I had been in contact with President Levin and he asked for help. And when I asked him what I should put on it he said this so that is why I put that."
- **Leckie moves to adopt a majority opinion:**
 - "The Senate Investigative Board believes that the Student Body President violated statute 205.3E1 by compelling two individuals to misrepresent themselves as student government officers when they were not: Rawan Abhari and Abby Salter"
- **Soto seconds**
 - VOTE Y(Leckie, Murcia, Soto, Little)
- Chabot: There is also the matter of Secretary Abhari being asked to sing in her cabinet interview.
- Little: I think we should look at the Matthew Harris evidence brought if it is linked to this. I would like more evidence of what the situation looked like before we make a ruling.
- Murcia **POPP** can I get a recap of the situation?
- Chabot: Since new evidence was submitted, we are looking under file F for Mr. Harris, about asking interviewees to sing.
- Little: What, if anything, do we think may have been violated here? Which rules or statutes does this pertain to?

- Chabot: I want to direct attention to 205.3.D. I think that this action violated a hazing statute.
 - Inducing to Act: No officer or employee shall knowingly aid, advise, encourage, or threaten another officer or employee of Student Government Association or student to act in violation of this chapter, Federal, State and local laws, the Florida State
 - REVISED/UPDATED – JUNE 2020 9 University Student Body Constitution and Statutes, the Student Code of Conduct or Academic Honor code.
- Chabot: I've done hazing modules for Panhellenic before, and this is similar to examples of hazing that were referenced in that.
- Leckie: This is a very serious accusation, so we need to tread lightly. When this rises above statutes and goes to conduct code, I'm not even sure if it's our place to rule on this. We pretty much covered our bases when we said that they did not do a proper interview in an earlier opinion.
- Murcia: I'm just concerned because hazing is so serious. Can we find the hazing modules you referenced? This sounds like a larger problem in the system if we're encountering hazing in the executive branch.
- Little: I can also find a copy of the modules I took I'm sure, after the meeting.
- Murcia: Yes, I would like to see them.
- Chabot: I pulled up the code of conduct. It gives examples of what can be considered hazing:
 - *see Section 4: Hazing
- Murcia: I just want to make sure that we are investigating this thoroughly because it is such a serious thing.
- Chabot: We should hold off on making decisions and opinions until we can contact people who know more about this.
- Leckie: I want to shift the conversation now to what happened this week.
- Chabot: I'll explain. I was made aware by the Senate President Daraldik that multiple senators have come forward claiming that they were being coerced and threatened by SBP Levin and exec to vote or act in a certain way. This was back in early July. We issued two subpoenas over summer to access SBP Levin's messages about senate business during the senate meeting, both of which were blocked by AG Ready. We didn't have the ability to act when summer term ended. This Tuesday, I received a phone call from Senate President Daraldik and other Senators saying that the coercion was happening. They have ways to prove it, but they will not do so unless we subpoena them. Since the scope of this board has been expanded to all activities of exec, it's up to you all to do something with that information.
- Murcia: We should get all the information we can. If people are willing to talk under subpoena, we should trust their intentions and subpoena them so we can move forward.
- Leckie: There's probably a lot of senators who are scared to come forward because of repercussions. If we issue the subpoena it should be because it's the only way they will be able to safely talk with us. As a board, do we think we want to issue a subpoena for people with relevant information?
- Soto: I'm worried if we send out another one, they might not comply again.
- Little: I say we do it, it's the only way we move forward.
- Murcia: Have people come forward expressing concern about testifying?
- Chabot: Yes.
- Murcia: Can we know the nature of those threats?

- Leckie: The biggest issue is that during Summer Senate Sunday, the coercion was discussed. People don't want to come forward voluntarily. This way, with a subpoena, people will have to come forward. It's appropriate to subpoena the Senate President because he was there at the initial meeting and on the phone call.
- Murcia: This gives those individuals an additional layer of protection too. It shows that by talking, they were simply complying with the law. We should make sure that people feel safe and protected. But with that in mind, we need to do this and go forward. When all this is done, I'm hoping the threats aren't an issue anymore.
- **Leckie moves to subpoena Senate President Daraldik regarding communication of legislation and other official business with members of the executive branch following the spring elections.**
- **Murcia seconds**
 - VOTE Y(Leckie, Murica, Soto, Little), N, A
- Chabot: I will send this to Senate Pro Tempore Harmon for their signature immediately. Give me one second to do that.
- **Leckie moves for recess**
- **Little seconds, recess until 5:15**
- **Little moves to reconvene**
- **Murcia seconds**
- Murcia: There is a question in the chat.
- Chabot: To answer why this meeting is being recorded: these meetings are all recorded and made available on the SGA website with minutes. We do important work and so we want to hold ourselves accountable.
- Leckie: At this point, I think we've covered pretty much everything we need to for today. We talked about the issues with minutes and public meetings, and we'll discuss more about coercion on Monday.
- Leckie: Gabriella Hinks is on the call. Do we want to hear her testimony today?
- Chabot: we have moved past that point in the calendar, but I can entertain a motion to hear Ms. Hinks speak.
- **Murcia moves for a non senator to speak**
- **Soto seconds**
- Hinks: I know it's been a while, but I'm here to talk if you want to listen.
- Murcia: I think it would be disrespectful not to hear her testimony right now. So out of respect, we should hear it.
- **Murcia moves to exit deliberations**
- **Soto seconds**

Hearings:

- Opening Statement

- Hinks: I'm here to talk about my experience applying to the senate. I was encouraged to apply, and decided to on May 19 at 5:45pm. I got the automated email back in response, but that was the only thing I heard. I was never contacted for an interview, and I never heard back. No one was forwarded for the seat I applied for. A few weeks passed by and I did nothing, until the meeting where former Senate President Denton was removed. After that, I decided I really wanted to be involved in SGA, so I applied again. This time, I actually got an email from someone named Desinoir to set up an interview for the same seat I initially applied for. What I'm here to say is that my first attempts to join the senate were completely ignored. It didn't

make a lot of sense. The second time, I applied on June 8, and on June 14 I got an email about an interview.

- Technical, Non-Debatable questions
 - Murcia: You applied twice?
 - Hinks: Yes.
 - Murcia: And you only got one email?
 - Hinks: Yes.
 - **Little moves to enter questioning**
 - **Murcia seconds**
- Questioning
 - Leckie: I will not be participating, since Ms. Hinks is my roommate.
 - Little: In your interview, did you ask them about your first attempt?
 - Hinks: No, it was several weeks after, and I didn't think to bring it up at the time.
 - **Murcia moves to end questioning**
 - **Little seconds**
- Closing:
 - Hinks: I know my case eventually ended in me getting a senate seat. But when I originally applied, I didn't know I was supposed to be interviewed. Once I realized it was a problem, I brought it up here. I appreciate you all trying to gather facts so we can determine what's going wrong.
- **Murcia moves to enter deliberations**
- **Soto seconds**

Deliberations:

- Murcia: This seems like a clear case. I'm concerned because Ms. Hinks only knew she was entitled to an interview through a personal connection in SGA. How many people have not received an interview and not known that they were supposed to?
- Soto: I think she did everything right in terms of putting in the application and waiting for the email. I feel bad she wasn't interviewed the first time. I agree that statutes were broken.
- Murcia: I also want to thank Ms. Hinks if she's still here for coming forward to testify. Once we are done with deliberations, how does this continue?
- Chabot: It's up to you all if you want to adopt a majority opinion or exit deliberations.
- Murcia: What is the precedent?
- Chabot: It's up to how the board is feeling. We have done it a number of ways before.
- Little: Should we be consistent and do what we did with Mr. Alvarez's case? Since he got the position in the end, we decided not to make an opinion on it.
- Murcia: I think we should adopt a majority opinion that includes both Hinks and Alvarez because their situations are so similar.
- Chabot: Do you have proposed language for that?
- Leckie: **POI** can we keep track of the zoom chat?
- Chabot: Yes. When we record, the chat is automatically downloaded.
- **Murcia moves to adopt a majority opinion:**
 - The Senate Investigative Board believes that the Student Body President violated statute 304.3C1 by failing to interview candidates after they have applied for a position in student government: John "Jake" Alvarez and Gabriella Hinks
- **Soto seconds**
 - VOTE Y(Murcia, Soto, Little), N(), A(Leckie)
- **Murcia moves to exit deliberations**

- **Soto seconds**
- Chabot: After much consideration, I will be resigning from Senate on Wednesday night. I didn't make this choice lightly. I entered this body wanting to help people, but my mental health has been declining lately. Given everything that has happened over summer and the last few weeks, I have decided to leave. Effective immediately, I am stepping down as Chair.
- **Chabot hands chair to VC Little**
- **Little hands Chair to Leckie**

Elections:

- **Soto moves to open the floor for Chair nominations**
- **Murcia seconds**
- **Murcia nominates Little**
- **Little accepts**
- **No further nominations, floor is closed**
- **Senator Little elected as Chair**
- **Murcia moves to open the floor for Vice Chair nominations**
- **Soto seconds**
- **Leckie nominates Murcia**
- **Murcia declines nomination**
- **Murcia nominates Soto**
- **Leckie seconds**
- **Soto accepts nomination**
- **Senator Soto is elected as Vice Chair**

Final Announcements: X

- Little: Thank you all for coming and for dedicating your time to this!
- Soto: We will miss you, Senator Chabot, and we support you in taking care of your mental health. We love you and hope to see you soon!
- Chabot: You will all hear my long speech on Wednesday. But I wanted to let you all know that me leaving Senate has nothing to do with all of you. I will continue to be involved with the COVID task force, and I'll be here to help you out with all of this. See you all on Monday!
- Leckie: I remember when this all began and we didn't know what we were getting into. Chabot took this on, wrote rules of procedure, ran this, and all for the first time ever. This is gonna be repeated in the future, so this is a lasting legacy to leave as a Senator, setting the precedent for holding others accountable. We'll miss her dearly, but mental health is the most important thing.
- Marcus: I just wanted to update everyone on my situation. There have been issues with the supreme court and filling seats. I've tried to file several times, but I've been told we need 4 justices (even though that is not precedent). On Monday, at 11:30 pm, I received an interview for seat 6, which I applied for months ago. I don't know if they're trying to appease me, but this only happened after I emailed to ask about the status of my claim with the judicial branch. So sad to see Elizabeth go, thank you for being so instrumental in this process. We love you!
- Soto: Stay safe everyone!
- Murcia: I'm here as a resource for you all, I love you!

Date and Time of Next Meeting: Monday September 28 @3pm
Adjourned: 5:56 p.m.

Elizabeth Chabot

Signature of Chair

Gabrielle Little

Signature of Chair

MAJORITY OPINIONS ADOPTED:

- Adopt Majority Opinion: The Senate Investigative board believes that 203.3 was violated, as the cabinet meetings “held under the auspices of the student government association” were not open to the public. Furthermore, 203.6 was violated as no minutes were published nor made available to the investigative board upon request.
- Adopt Majority Opinion: The Senate Investigative Board believes that the Student Body President violated statute 205.3E1 by compelling two individuals to misrepresent themselves as student government officers when they were not: Rawan Abhari and Abby Salter.
- Adopt Majority Opinion: The Senate Investigative Board believes that the Student Body President violated statute 304.3C1 by failing to interview candidates after they have applied for a position in student government: John “Jake” Alvarez and Gabriella Hinks.