

# Addendum to the Special Decision of the ERC on Election Integrity

April 4, 2023

On Thursday, March 30, 2023 the TMSU Elections & Referenda Committee (ERC) released a [Special Decision of the ERC on Election Integrity](#) focused on the impact of misconduct that occurred during the voting period. The ERC determined that there would be a new in-person, physical ballot election to be held from April 11-13, 2023.

Since the release of that decision, however, new evidence has been presented to the ERC that raises significant concerns about the integrity of the entire election process, not just the voting process which was the subject of our last Special Decision.

The newly-presented evidence alleges serious violations of TMSU By-laws and the Elections Procedures Code. Upon reviewing the new evidence, the ERC has come to the conclusion that there has been persistent intentional efforts to undermine the integrity of the entire TMSU election process. In particular, the evidence demonstrates that there is good reason to believe that there has been a range of election-related misconduct on the part of multiple individuals. These are new instances of misconduct not previously addressed by the ERC, and include breaches of the following portions of the Elections Procedure Code:

- 8.1.32, Unauthorized Campaigners: No two (2) or more Candidates may have their campaign benefit from the same Non-Arm's Length Party, unless the Candidate's are registered to the same Slate.
- 8.1.38. Cross-Campaigning is not allowed between multiple Slates or non-slate Candidates.
- 8.2.4. A Candidate's total expenditure includes all Campaign Materials and other materials that endorse or support them. This may include situations where a Non-Arm's Length Party supports a Candidate or group of Candidates and produces materials without the consent of the Candidate.
- 8.1.16. Any attempt to undermine the electoral process including, but not limited to, interference with or compromising the TMSU's Online Voting Systems.
- 8.1.14. Malicious or intentional breach of Code.



In light of this evidence, the ERC is of the view that the integrity of the entire election process – both the nominations and the vote that already took place – has been irredeemably compromised. We are again using our authority under s. 8.3.3 of TMSU's By-laws to take actions to ensure the integrity of the TMSU's elections. The ERC has decided to rule the election, including the election nominations, invalid. The physical ballot election previously planned for April 11-13, 2023 is hereby canceled. As per TMSU By-laws a by-election will take place in the Fall of 2023.

Sincerely,

Elections & Referenda Committee

