



Cornell University
Student Assembly

Elections Committee Report: Number 1

***Report on the Conduct of and Objections Against
Claire Ting, Candidate For Student Assembly President***

Adopted: 4/17/2024

Vote: 10-0-0 on All Violations and Penalties

Section I: Procedural History

1. This report and associated objections follow a referral by the Office of Ethics in its April 14, 2024 report to investigate the conduct of Claire Ting, executive vice president of the Student Assembly and current candidate for president. The Office of Ethics determined that Ting leaked screenshots of private, internal Student Assembly messages to the CU Dispatch (which can also refer to The Word on the CU Dispatch), a student-run blog, immediately prior to the Spring 2024 election. The Office of Ethics asked the Elections Committee to investigate this matter as it could have affected integrity of the election and required the Office of Ethics to make determinations that it believed would “fall under the purview of the Elections Committee”.
2. In light of this referral, the Elections Committee began an inquiry on April 15, 2024 to determine if Ting’s conduct violated the Election Rules of the Student Assembly. This included a notification to members of the Student Assembly on the same day of this inquiry. Upon a review of information collected from witness interviews, personal communications, Student Assembly documents, and documents from the Office of Ethics investigation, the Director of Elections filed a general and specific objection against Ting on April 17, 2024. This report adjudicates those challenges and specifies the penalties imposed by the Elections Committee.

Section II: Jurisdiction

3. This matter falls under the jurisdiction of the Elections Committee due to the referral by the Office of Ethics and the Election Rules of the Student Assembly. Specifically, the Election Rules of the Student Assembly in § 120(A) provides that the Director of Elections may file an objection against any candidate at any time prior to the declaration of the results of the election.

Section III: Procedure for the Adjudication of Objections

4. The Election Rules of the Student Assembly in § 121 state that upon the filing of a general objection, the Director of Elections is to verify the validity of the objection. Each objection is only invalid if:
 - A. Either the general or specific objection fails to contain all of the required information specified in § 121;
 - B. The objector filed only one, but not both parts of an objection; or
 - C. The objector failed to file either a specific or general objection in a timely manner.
5. The procedure for reviewing objections is written in § 126 of the Election Rules. This section specifies the standards to determine the validity of an objection and the whether the respondent candidate should be disqualified. This section states:
 - A. For each valid objection, the Elections Committee shall determine as applicable in the following order:

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- (1) Whether the objection asserts the occurrence of a material violation of the Election Rules;
 - (2) Whether each alleged violation can be substantiated beyond a reasonable doubt;
 - (a) A vote will be taken for each violation individually, and a majority of the members present of the Elections Committee is required to declare that a preponderance of evidence substantiates each violation; and
 - (3) Which, if any, substantiated violations or combination thereof materially compromised the integrity of the election or constituted a material advantage to the extent the respondent candidate should be disqualified.
6. The procedure for disqualification is written in §127 of the Election Rules:
- A. If Elections Committee finds that either a single substantiated violation or that a combination of substantiated violations, beyond a reasonable doubt, require the disqualification of a candidate, the Elections Committee only may disqualify a candidate with at least two-thirds of the members present of the Elections Committee voting in the affirmative to disqualify.

Section IV: List of Objections Filed Against Ting

7. The following objections were filed against Claire Ting, candidate for President, by the Director of Elections on April 17.
- Violation Number 1: Intimidation Tactics (§ 107[A][7])
 - Violation Number 2: Harassment and Coercion (§ 111 [A][1])

Section V: Validity of Objections

8. Each objection listed in Section IV of this report was found to be a valid objection in accordance with the Election Rules.

Section VI: Review of Ting's Actions

9. Information collected in investigations by the Elections Committee and the Office of Ethics found that Claire Ting improperly distributed Student Assembly communications to the CU Dispatch, a student-run blog, and Individual 2, a high-level individual in the CU Dispatch/The Word. This improper distribution occurred in the first three weeks of March 2024.
10. The April 14, 2024, report of the Office of Ethics established that “evidence confirmed Ting sent screenshots to the Dispatch, Ting’s intent in doing so could not feasibly be verified.” Ting later publicly admitted to sending the screenshots at the April 16, 2024 Student Assembly

candidate forum where she claimed she was a “...whistleblower to the misconduct that [she] had witnessed.”

Section VII: Review of Ting’s Potential Incentives

Timing and Nature of Ting’s Improper Distribution of Communications

11. Ting interacted closely with members of the Office of Ethics and worked with the Office to resolve a dispute in lieu of the university ombudsman prior to the April 15, 2024 report of the Office of Ethics. In early May 2023, following confusion about who was to be President of the Student Assembly following a vacancy, Ting attempted to refer the question of presidential succession to the Office of Ethics. She emphasized her willingness to engage with the Office of Ethics during the Spring 2024 candidate forum where she discussed the importance of her attempt to refer the presidential succession question to the Office of Ethics. In a May 15, 2023, guest column on the Cornell Review, Ting referred to the Office of Ethics as, “the only mediator the Assembly has” and that “the Office of Ethics exists to account for and resolve” issues where members of the Assembly have “a potential interest in collusion, a lack of transparency, and a stake in the outcome.”
12. Ting engaged with the Office of Ethics, as Executive Vice President of the Student Assembly on a frequent basis: she was generally present each week during Monday meetings of the Executive Committee and Thursday meetings of the Student Assembly, where the Director of Ethics was also present.
13. In August 2023, when Ting obtained the text messages she later improperly disclosed to the Dispatch, she did not take action through official channels such as the Office of Ethics. Ting, instead, kept the texts private for eight months until she took screenshots of them on March 1, 2024 (as indicated by metadata recovered from cudispatch.com). At this time, Ting once again did not report her concerns to the Office of Ethics. Instead, she sent these screenshots to the CU Dispatch, notably in the weeks leading up to the Spring 2024 Student Assembly Election.
14. When interviewed by the Elections Committee, Ting claimed that she did not file her concerns with the Office of Ethics because of the Office's lack of hard power authority over the Assembly's actions. She elaborates that in order for the Office's official recommendations to be valid, it must be adopted by the majority of the Assembly. She felt as though her attempt to file a claim against the misconduct she witnessed would be "futile" due to the large voting bloc of members that are allegedly affiliated with the Cornell Democrats and Interfraternity Council.
15. Notably, a majority of the Student Assembly, including several members alleged by Ting to be in the aforementioned bloc, voted to approve the Office of Ethics Report on Sunday, April 14, 2024 that recommended the removal of two members of the Assembly allegedly affiliated the Cornell Democrats and Interfraternity Council.
16. When interviewed, Ting also claimed that she was approached by the Dispatch for an interview. Notably, Ting contradicts her public statements, where she claims she was a “whistleblower”.

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The common definition of “whistleblower”, which can be seen as defined by the United States Office of the Director of National Intelligence, is¹:

“any individual who provides the right information to the right people. Stated differently, lawful whistleblowing occurs when an individual provides information that they reasonably believe evidences wrongdoing to an authorized recipient.”

Ting’s distribution of internal Student Assembly Executive Committee communications to the Dispatch was not whistleblowing according to her own recollection of events. Ting neglected to report what she believed to be ethical concerns to the proper authority, the Office of Ethics, in a timely manner, instead waiting until shortly before the Spring 2024 elections.

17. The investigation conducted by the Elections Committee determined Ting was aware of later substantiated allegations of unethical conduct, including those concerning the Student Assembly Appropriations Committee, and chose to not report these allegations at the time they became known to her. Instead, Ting waited more than four months, until the weeks leading up to the Spring 2024 elections, to reveal these allegations outside of official channels to Individual 2 and the CU Dispatch. At no point, did Ting make any effort to properly report the allegations of unethical conduct of which she was aware.

Ting’s Electoral Plans

18. When interviewed by the Elections Committee, Ting stated she began considering running to be President of the Student Assembly around the summer of 2023, months prior to the sending of messages she would later distribute to the CU Dispatch, although she stated she did not make a final decision to run until the night before the deadline.
19. Ting also confirmed in the same interview that she heard “through the grapevine” that Individuals 7 and 11 were considering running in the Spring 2024 Elections. Both individuals confirmed in separate interviews to the Elections Committee that they declined to run after the publication of misleading blog posts by the CU Dispatch.

Ting’s Awareness of Individual 2’s Reputation

20. On February 7, 2024, Individual 2 published a blog post on the CU Dispatch website that relied on misinformation and conjecture to target, among others, Individual 7, a member of the Student Assembly Executive Committee. Numerous conversations including Ting and Individual 7 transpired in the Assembly’s Executive Committee where the inflammatory nature of the CU Dispatch blog post was discussed. At this time, the general perception of Assembly members was that Individual 2’s blog post intended to target and disparage Individual 7. Any reasonable person could foresee that the disclosure of documents to Individual 2 would be reprinted to suit a preexisting narrative Individual 2 sought to portray about the Assembly and specifically Individual 7. Multiple Assembly members who were not otherwise interviewed or contacted for this report corroborated that Individual 2 was known on the Assembly to target and have a strong bias against Individual 7. Two of these Assembly members independently

¹ <https://www.dni.gov/ICIG-Whistleblower/what-is.html>

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cited a public altercation between Individual 2 and Individual 7 at the February 1, 2024 Student Assembly meeting. Ting was present at the February 1, 2024 Student Assembly meeting.

21. When interviewed by the Elections Committee, Ting stated she became aware of Individual 2's previously published critiques of the Student Assembly after the February 7 Dispatch blog post. She stated that she did not believe Individual 2's articles were written purely to target Individual 7. She also stated that she believes the February 7 blog post to be an article; the Elections Committee refers to it as a blog post due to inability to verify the Dispatch's journalistic standards.
22. Individual 7 discussed with other members of the Executive Committee and members of the university administration their concern that Individual 2 would publish additional blog posts to intimidate him and other members of the Assembly, especially in advance of the upcoming election.
23. According to Individual 7, in Summer 2023, Individual 2's animus against them arose out of a personal dispute surrounding Individual 2, Individual 7, and Individual 8. Individual 8 is on a Student Assembly committee and has a close personal relationship with Individual 7. In the Summer of 2023, Individual 7 privately confronted Individual 2 about what they perceived as alleged improper behavior towards Individual 8. In September 2023, Individual 7 publicly confronted Individual 2 again about an alleged pattern of this behavior towards female students in a club where the three individuals were all members.
24. Individual 2 began investigating Individual 7 and published four blog posts about Individual 7 between February 2023 and March 2024.
25. When interviewed by the Elections Committee, Ting disagreed with the premise of Individual 2's bias against and history of targeting Individual 7 because no article had ever been written solely about Individual 7.
26. In an interview with the Elections Committee, Ting stated she was unaware of Individual 2's reputation for allegedly making unwanted comments towards female students. She claims no one had directly conversed with her about Individual 2's reputation towards female students.
27. Other interviews conducted by the Elections Committee strongly suggest Ting was aware of other concerns, not those of Individuals 7 and 8, surrounding Individual 2's alleged unwanted conduct towards female students. (Note: serious allegations regarding Individual 2's conduct towards women emerged during the Elections Committee's investigation; the substantiation of this matter does not fall under the purview of the Elections Committee, and therefore is referred by the Elections Committee to the Office of Student Conduct and Community Standards per § 107(B) of the Election Rules.)

Ting's Record of Previous Alleged Election-Related Unethical Conduct

28. The Committee's investigation identified new concerns regarding previous election-related unethical conduct by Ting. According to Individual 7, immediately prior to the May 9, 2023,

meeting where Individual 3, a former member of the Student Assembly, was removed from office, Individuals 7 and 10 spoke privately with Ting. Individual 10 is a member of the Student Assembly Executive Committee. They told Ting they had learned Individual 6, a member of the Assembly at the time and a friend of Individual 3, allegedly coordinated with Individual 3 to prevent a potential complainant from discussing sexual assault allegations about Individual 3 (this complainant filed a Title IX case against Individual 3 after these discussed events). This included the allegation that Individual 6 sent a letter falsely purporting to be from a lawyer that threatened the potential complainant with a lawsuit, and an allegation that Individual 3 and 6 coerced the then-potential complainant into providing an audio recording that may have exonerated Individual 3 from the allegations against them. The series of events regarding Individuals 3 and 6 were corroborated by testimony from Individual 9, a close friend of the complainant. In addition, the Elections Committee confirmed Ting was a member of a group chat titled “SA Reorg” where screenshots of text messages from Individual 3 were shared. These included screenshots of messages from Individual 3 saying, “I got like audio recordings... to clear up the case if it came to happen.”

29. The result of these messages being shared was a vote by the Assembly to remove Individual 3. This created, according to Ting’s public statements, a “succession crisis” or conflict over who was to succeed to the Office of President of the Student Assembly.
30. After the publication of a CU Dispatch blog post in March 2024, Individual 12, a member of the Student Assembly in the 2022-2023 term, wrote about the immediate aftermath of the May 9 meeting on an Instagram Story:

“Soon after the “succession crisis” of the assembly began, Claire [Ting] called and asked me to come back to the assembly to support her bid for the presidency. She said that [Individual 10] had his own group of supporters-including Rocco and members of the Cornell Dems-and she needed to whip up support of her own. This meant working with [Individual 6], a close friend of [Individual 3’s] who was publicly disparaging the victim who had come forward. When I brought up these concerns to her, Claire [Ting] said something along the lines of “the enemy of the enemy is my friend.” She then promised me preferential treatment on the assembly if I rejoined and supported her. Clearly, that did not happen, but framing other members of the assembly as innocent bystanders to this brazen political power grab would be misleading at best.”

Section VIII: Effect of Ting’s Actions on the Integrity of the Election

Effect on Individual 7’s Participation in the Spring 2024 Election

31. In an interview with the Elections Committee, Individual 7 said that they were strongly considering still running for the Student Assembly after the publication of a Cornell Daily Sun article, but after the disclosure of private text messages by Individual 2 in a CU Dispatch blog post, decided to not run because of the psychological stress the fear the disclosure of private messages created for Individual 8.

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32. Ting confirmed in an interview to the Elections Committee that she became aware sometime in the “past few months” of rumors that Individual 7 was considering to run for President of the Student Assembly. This includes during March 2024.

Effect on Individual 11’s Participation in the Spring 2024 Election

33. Months later, immediately prior to this election, Individual 11 planned to run for the Student Assembly. Individual 11 is a member of the Student Assembly. Individual 11 had filled out a candidate registration form, but not submitted the form. Approximately a week before the deadline to register for the Spring 2024 Student Assembly Elections, it became clear to Individual 11 that Individual 2’s CU Dispatch blog posts were for the purpose of intimidating candidates from running in the upcoming election. Therefore, Individual 11 chose to not to run.
34. Ting confirmed in an interview to the Elections Committee that in March 2024 she was aware sometime in the “past few months” that Individual 11 considered running for Executive Vice President of the Student Assembly. This includes during March 2024. Ting was loosely under the impression that Individual 11 considered running as a “duo” with Individual 7.

Effect on Individual 8’s Personal Life

35. When interviewed by the Elections Committee, Individual 8 stated that the disclosure of Individual 7’s private messages caused them significant distress and contributed to a climate of fear. The release of these messages permeated into Individual 8’s personal and academic life, contributing to a period of prolonged stress. Individual 8 said that previous blog posts by the CU Dispatch did not have the same effect and that the release of private messages was deeply unnerving.
36. This distress was compounded when, within a week after the publication of the blog post containing Individual 7’s messages, Individual 8 was made aware of a threat by Individual 4, someone involved with CU Dispatch in an administrative role, to “ruin [Individual 7’s] life” presumably with the disclosure of additional documents in future CU Dispatch blog posts.
37. The distress caused by the disclosure of private messages in the March 22 CU Dispatch blog post, as well as the harassment and threats to Individual 7 and Individual 8 that followed that post, created an environment so severe that Individual 8 felt they had no choice but to leave campus. Individual 8 did so during several class days in March 2024. This was corroborated by the review of associated emails and university documentation.

Climate of Fear Among Witnesses and Interviewees

38. In interviews conducted by the Elections Committee, several witnesses cited a climate of fear produced by Individual 2. This included witnesses indicating that they would participate with the investigation but were reluctant to or would not answer questions relating to Individual 2. Individual 2 was repeatedly contacted for an interview, however they declined. It is clear the Individual 2 created an environment of fear and intimidation such that several witnesses were

very reluctant to share information. For the purposes of confidentiality, this report does not discuss information obtained relating to this issue any further.

Section IX: Violations of the Election Rules

Violation Number 1: Intimidation Tactics (§ 107[A][7]). *Vote Result:*

39. Section 107(A)(7) of the Election Rules states: “Candidates and supporters acting on their behalf must be aware of and comply with all applicable policies and provisions of the Student Code of Conduct, including but not limited to... intimidation tactics.”
40. The Elections Committee found Ting could have reasonably foreseen that distributing personal messages to Individual 2 would create a climate of fear to intimidate potential opponents from running for office. The result of the environment created with the disclosure of personal messages is further evidenced by Individual 11 declining to run even though that individual was unnamed in a CU Dispatch Blog post.

Violation Number 2: Harassment and Coercion (§ 111 [A][1]). *Vote Result:*

41. Section 111(A)(1) of the Election Rules states: “Candidates and supporters acting on their behalf during any portion or period of an election may not... harass, threaten, or coerce others.”
42. The investigations conducted by the Elections Committee indicate that (1) Ting was made aware of serious allegations of Individual 2’s personal misconduct months in advance of her improper disclosure of documents to the CU Dispatch and (2) that she was at the very least somewhat aware the CU Dispatch and Individual 2 sought with their blog posts to primarily target Individual 7 and other members of the Assembly.
43. Therefore, the Elections Committee finds that there exists no possibility where a reasonable person could conclude her improper disclosure of documents to Individual 2 and the CU Dispatch would not result in the spread of misinformation and likely harassment of Individual 7 and other members of the Assembly.

Section VII: Conclusions and Penalties

44. Section 105(B) of the Election Rules states: “The Elections Committee may... disqualify a candidate if a violation is found to compromise the fairness of the election.”
45. This report demonstrates that Ting’s disclosure of personal text messages to the CU Dispatch caused significant psychological distress to Individual 8, directly leading Individual 7, someone Ting knew to be a likely opponent to her, to not run. This occurred because Ting withheld information she felt would be damaging until the weeks leading up to the election. When she did release the messages, she did so only to Individual 2, a blogger who she is reasonably expected to know to have held a strong animus towards Individual 7 and evidently maintained poor journalistic standards for their blog. Ting chose to withhold information about potential ethical violations for months and declined to report it through the proper channels.

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She disclosed information to Individual 2 and the Dispatch only immediately before an election in which she is now running.

46. No reasonable person could conclude that improperly distributing personal messages immediately in advance of an election would not affect the decision making of the person whose messages were distributed. Ting's decision to share these with Individual 2, given their prior targeting of Individual 7 and poor journalistic standards, point to no conclusion other than Ting undermining a potential opponent to affect the outcome of an election. These actions capitalized on fear to discourage candidates from running. The adverse effect of Ting's disclosure further undermined the integrity and fairness of the election by creating a climate of fear causing Individual 11 to decline to run for office as well.
47. Due to Ting's conduct repeatedly violating the Election Rules in a serious way, the Election Committee finds that her participation as a candidate in the Spring 2024 Election would significantly and materially harm the integrity of the election. Therefore, it is now,

Ordered,

48. Claire Ting shall be hereby fully disqualified as a candidate for the Office of President for the Spring 2024 Election;
49. All votes cast for Ting for the Office of President for the Spring 2024 Election, shall not be tabulated by the Office of the Assemblies for the purposes of ascertaining the candidate elected to the Office of President for the 2024-2025 Term (*§ 117[F] of the Elections Rules*);
50. The Director of Elections, shall refer Individual 2 to the Office of the Conduct and Community Standards for potential violations of the Student Code of Conduct (*§ 107[B] of the Elections Rules*);
51. All votes cast for Ting for the Office of President for the Spring 2024 Election shall not be publicly published, pursuant to (*§ 107[B] of the Elections Rules*); and
52. All costs incurred by Ting prior to the date time of this report shall be reimbursed; any costs incurred by Ting after the date and time of this report shall not be reimbursed (*§ 109 of the Election Rules*).

Adopted By The Elections Committee: 10-0-0

Date: 4/17/2024

Issued on Behalf of the Elections Committee By:

Luke A. Thomas, Director of Elections
Cornell University Student Assembly

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