

Chief Justice Alston,

In my role as SGA Judicial Branch Advisor, it is my responsibility to review motions for impeachment to determine if there are “reasonable grounds for impeachment to move forward.” On November 21, 2019, I received a motion for impeachment which you will find attached to this document. Upon consideration of the allegations presented in the motion, and supporting documentation, I have determined there are reasonable grounds for impeachment to move forward on the following charges:

**Count 1: Conduct Unbecoming**

It is alleged that:

“During the 2019 election season, David allegedly accepted funding from the right-wing organization Turning Point USA (TPUSA) to aid in his campaigning process. This is a tactic practiced nationwide by TPUSA in order to promote conservatism on college campuses through the control of Student Government Associations, which is veiled as the Campus Leadership Project. This practice has been confirmed by an informant who is a previous employee of TPUSA as well as multiple news reports. David’s campaign expenditure report strikes concern due to altered receipts, false claims of the origin of purchases, and proof of tax exemption. David used Rhode Group, LLC as the purchaser of buttons used during his campaign from purebuttons.com. While this group is legitimate, it would not provide David with the tax-exempt status that is listed on the receipt of purchase. Purebuttons.com requires documentation to prove tax-exempt status. TPUSA is classified as a 501(c)(3), which could explain the tax exemption for this purchase. Rhode Group, LLC, according to the Group’s 2018 Annual Report, is used for “Real Estate Rentals,” which makes David’s use of Rhode Group, LLC to purchase the buttons unethical and potentially illegal.”

I find that the allegations present reasonable grounds for impeachment to move forward on the charge of Conduct Unbecoming.

**Count 1b & 1c: Abuse of Power & Conduct Unbecoming**

It is alleged that:

“The Campus Leadership Project held a summit in July 2019 to train Student Body Presidents and Vice Presidents on how to govern a student body while upholding the platform of TPUSA. A tweet made by Congresswoman Debbie Lesko (@RepDLesko) on July 26<sup>th</sup> proves that this summit occurred. While the photo does not show faces clearly, it is suspected that David is in the picture. David is tagged in an Instagram post by @estherlusenge, SGA Vice President of Liberty University also posted on July 26<sup>th</sup>. This photo contains other SGA Presidents and Vice Presidents from other universities. David attempted to claim attending this summit as hours for his contracted employment with the Student Government Association through the Department of Campus Activities and was barred from doing so by many actors.”

Reading this allegation in conjunction with count 1a, I find that the allegations present reasonable grounds for impeachment to move forward on the charge of Conduct Unbecoming and Abuse of Power.

#### **Count 2a: Abuse of Power**

It is alleged that:

“Another notable instance of David’s personal bias towards Senator Buchanan manifested in defamation and sexual harassment towards her. On September 27<sup>th</sup>, David called Senator Buchanan’s boyfriend, Chief of Staff Patrick Clemons, into his office for a private meeting. During this meeting, David claimed the relationship as being a “conflict of interest” within SGA. David also accused Senator Buchanan of altering Patrick’s participation within SGA through “sexual relations.” After complaints filed by Patrick to SGA Advisors, David met with Patrick and said he apologized if he had said this and blamed his behavior on the fact he had low blood sugar. Senator Buchanan was never confronted or apologized to by David, despite him being fully aware she was informed of the issue. This act of sexual harassment and complete disregard for Senator Buchanan lead to further suspicion of his bias against her.”

I find that the allegations present reasonable grounds to move forward on the charge of impeachment for Abuse of Power.

#### **Count 2b: Conduct Unbecoming**

It is alleged that:

“Outside of his negative treatment of Senator Buchanan, David has made sexist actions throughout the semester. During Executive meetings, David has ignored or disregarded statements made by female Executive members or has not acknowledged their attempts to speak. He has failed to maintain consistent communication and personal meetings with all of the Executive members and has shown even less interest in maintaining this relationship with the female members. In a private meeting with one female Executive member, he threatened to fire her if she spoke about the subjects discussed within the meeting, a power of which he does not have. He had also expressed that he would not go out of his way to find a female member of SGA to serve on the WCU SGA delegation at ASG meetings. He did not change this opinion until he was heavily encouraged by male members of the Executive branch as well as the SGA advisors to do so. He has also shown little to no interest in attempting to attend any event scheduled by a female, including Roadside Cleanup, Hall-o-Ween, and Homecoming events. When addressing SGA about his supposed “pride” of the organization for executing these events, he does not give credit to the female members who were responsible for their creation and instead credits the “Team” of SGA. The one event he has actually shown up to was an Honors College event in which a male member of Senate invited SGA members to attend. David plainly expresses more positive interest in the actions of male members of the Association and it seems that he considers these members to be worthy of his time.”

I find that the allegations present reasonable grounds for impeachment to move forward on the charge of Conduct Unbecoming.

**Count 3: Neglect of Duty**

It is alleged that:

“David has presented himself negatively at many occasions where he has been responsible of representing the Association. For example, there are many witnesses who can affirm that he has fallen asleep at a sustainability conference at Appalachian State University representing WCU SGA, the dedication ceremony of Levern Hamlin Allen Hall, and at the North Carolina Association of Student Governments meeting at East Carolina University.”

I find that the allegations present reasonable grounds for impeachment to move forward on the charge of Neglect of Duty.

**Other Allegations in Motion**

I find that while the other information adds the basis of knowledge and credibility of the accusations set forth by the authors, I do not believe any of those allegations rise to the level of reasonable grounds for impeachment in of themselves. This finding shall not prohibit the use of such information in a hearing in the event there is one and the gatekeeper finds them admissible.

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Pursuant to the SGA Constitution and Bylaws I am now writing to forward you the motion and my determination so that you may inform the Rule and Judiciary Committee of the Senate. It is now their duty to review my decision and determine if they believe there are reasonable grounds for impeachment to move forward. The Bylaws require review and issuance of a decision by the committee within four (4) business days of notification of my decision otherwise the impeachment will move forward without Committee input. It has come to my attention that there may be members on the Committee who are authors of the motion. They should be excluded from the review and decision due to conflicts of interest.

If the Committee determines there are any charges that allege reasonable grounds for impeachment to move forward it is your duty to inform the Senate immediately. At this time the allegations and motion should remain confidential only to be shared with the Committee.

To ensure compliance with the SGA Constitution and Bylaws, and due process of the potential respondent, you should consult with myself and TJ Eaves, Assistant General Counsel assigned to SGA, with any questions or concerns.

Sincerely,