



## **Precedent of the Election Committee**

Allegation 2223-05 | Allegation 2223-11

*The following is the precedent of the 2022-2023 Election Committee. This precedent should only be used to view past Election Committee's rulings and should not be used to predict future outcomes. The Election Committee investigates each situation independent of another, and thus, precedent is not binding.*

The Election Committee has found the alleged party in violation of Article XV, Section 1(c) of the Student Union Constitution, which reads: "Candidates are expected to behave ethically at all times. Involvement in or instruction of others to engage in any unethical behavior will be determined and penalized by the Election Committee of Judicial Council." The Committee has imposed the following sanction: "The [alleged party] shall issue an apology on their primary campaign social media account immediately which aligns with the apology that they provided during their testimony during the hearing and includes the following phrase: 'It has come to our attention that our campaign has engaged in unethical behavior by sending out incorrect election links.'" In addition, the Election Committee has decided that there will be a deduction of ten (10) votes from the alleged party in the primary election for each incorrect link that was sent out. Thus, the total votes that shall be deducted from the alleged party is twenty (20) votes.

### **Relevant Facts:**

Two members involved in the alleged party's campaign, a Student Body President/Vice-President ticket, distributed an improper election link on a GroupMe and Instagram story.

### **Holdings:**

1. Distribution of the link to the ballot is prohibited and constitutes unethical conduct under Article XV, Section 1(c).
  - a. Individuals who the Election Committee determined were closely related to the campaign efforts of the alleged party via verbal testimony and evidence distributed improper election links that were explicitly prohibited by Judicial Council. The distribution of these links to the ballot was determined to be unethical conduct.



## **Sanctioning**

1. The Election Committee imposed the sanction of an immediate issue of an apology on their primary campaign social media account which aligns with the apology that the alleged party provided during their testimony during the hearing and includes the following phrase: “It has come to our attention that our campaign has engaged in unethical behavior by sending out incorrect election links.”
  - a. The Election Committee reasoned that the alleged party should take responsibility for the distribution of the improper campaign link.
2. The Election Committee also imposed the sanction of deducting a total of twenty (20) votes from the alleged party in the primary election.
  - a. One witness estimated that roughly 200 individuals would have seen the improper election link that was distributed by themselves on their social media page. The Election Committee reasoned that since the number of individuals that the improper election link actually impacted was impossible to know, the number of votes deducted from the alleged party in the election should be equivalent to 5% of the estimated 200 individuals who saw the improper link, equivalent to a deduction of ten (10) votes. Because the improper link was distributed in two distinct locations, the Committee decided the deduction of votes would apply per improper link. Thus, the total number of votes deducted from the alleged party in the primary election shall be twenty (20) votes.