



## **Precedent of Judicial Council**

Allegation 2223-12

*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 alleged party, Hall Presidential and Vice Presidential candidates, have been found in violation of Article XV, Section 1(c) of the *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." Since quorum could not be met by the Election Committee within 24 hours of the submission of the allegation, the Judicial Council President and Judicial Council Vice President of Elections issued a decision and the appropriate sanctions in accordance with Article XII, Section 4(g) of the *Constitution*. The sanction for the alleged party shall be forfeiture of candidacy. The reasoning of the Judicial Council President and Judicial Council Vice President of Elections is summarized below.

### **Relevant Facts:**

The alleged party, a ticket running for Hall President and Vice President, publicized campaign materials that included the phrase "more than just the candidates." These posters contained headshots of four individuals, two of which were the individuals of the ticket running for Hall President and Vice President, and two additional individuals. Under the two additional individuals headshots were text that said "Media Coordinator" and "Off Campus Representative."

### **Holdings:**

1. The promise, or suggestion of a promise, of a position to an individual on one's team if elected constitutes unethical behavior which is prohibited by Article XV, Section 1(c).
  - a. The alleged party includes the name and headshot of two individuals on their campaign poster. Under the names are texts saying "Media



Coordinator” under one name and “Off Campus Representative” under the other. No off-campus students were eligible to vote in the Hall Election which would eliminate the need for an “Off Campus Representative” on one’s campaign team. Using that logic, it is reasonable to conclude that an “Off Campus Representative” would be a position being established for future use after the alleged party were elected. Additionally, since these names, headshots, and text were contained on the campaign poster that was titled “more than just the candidates”, it is reasonable to believe that the positions of “Media Coordinator” and “Off Campus Representative” would be given to the two particular individuals on the poster if the alleged party was elected. In accordance with [Precedent 2021-03](#), the Judicial Council determined the promising of positions to be unethical. Thus, Article XV, Section 1(c) has been violated.

### **Sanctioning**

1. The sanction for this violation shall be forfeiture of candidacy.
  - a. The Judicial Council President and Judicial Council Vice President of Elections reasoned that an appropriate sanction would be forfeiture of candidacy. This decision was made in accordance with [Precedent 1920-06](#) and [Precedent 2021-03](#) that showed that the sanction for a promise, or suggestion of a promise, of a position to an individual was forfeiture of candidacy.