

A Brief Forward: Diego Abele, ASB Judicial Chair

In following closely with the headlines the Associated Student Body has framed itself under these past few weeks, it's become ever so clear that there have been behavioral changes within ASB. Namely, the attitudes towards the Judicial Branch have indicated to Mr. Del Tatto and I that our words must be publicized in order to address our ever growing concerns. Before reading these careful words, please allow yourself to reflect on what these words might mean, and how you can apply them to your practice as upstanding members in the LOU community. The UM Creed still serves as a shining beacon of light on our activities here at the University, and it ought to be remembered and considered in every interaction we have with each other. It is with measured concern and cautious optimism that the Associated Student Body Judicial Branch writes this memo:

From the Office of the 2024-2025 University and Associated Student Body Judicial Council Chair Cross Del Tatto:

On Friday March 21st, 2025, a hearing board composed of members from the Associated Student Body Judicial Branch convened to hear the case *Templet v. ASB DOJ* regarding the Advisory Opinion 25-02 published during petitioning period. The procedure—the form of which was based on the standard hearing procedure of the University Judicial Council Student Conduct hearings and other Associated Student Body Judicial hearings—had no procedural irregularity and had faculty and staff advisors present.

The Council ruled in a 5-0 unanimous decision on the side of the Associated Student Body's Department of Justice which was represented by Attorney General Alex Kipping. In the week following the ruling, the rationale was published and disseminated to parties involved. The rationale contained all material and factual considerations and determinations made by the Council during the hearing; however, additional comments and recommendations were to be made at a later point in another document.

This memo serves as that document but does not serve to modify or supplement the rationale or determinations. Rather, this memo serves as an additional statement written to further elaborate concerns that the Council developed during the hearing related to the current operating environment of the Associated Student Body.

The Judicial Board convened on March 21st marked the first and only time a case related to student elections was heard throughout the 2024-2025 ASB Officer term. However, unlike past years, this was not an appeal hearing from an Elections Review Board (ERB) case. Rather, this case was a result of a complaint levied before public campaigning had even begun. To clarify, the nature of the case was not treated as an ERB Appeals hearing, and the determination was not found in a manner that an ERB Appeals process might yield as compliant with the processes in ASB Code Title V.d § 126 (D). The rationale explains, in full, the determination of the Council related to the contents of the hearing. As such, this memo will not detail any material or determining facts related to the case. However, as it became increasingly apparent during the case, there were immaterial and self-conflicted testimonies that hampered the ability for the Council to efficiently rule on the legality of the Advisory Opinion based on

the contents of the Code and Constitution of the Associated Student Body. This is not to say the Council was *unable* to rule, rather that there were clear personal conflicts that forced the Council to sift through hours of fluff to find facts material to the case itself. The Complainant was, after all, a Vice-Presidential candidate himself, and the disqualifying nature of this case would naturally give rise to emotionally driven testimony. Testimonies from the two other candidates were just as emotionally and politically driven, if not more, than the Complainant himself. The heated nature of the other witnesses was just as personally compromised. Noting the instance of a witness directly and opening questioning the validity of a line of questions posed by the Council itself, the Board was left bewildered as to what the goals of much of the witness testimonies were. Latent personal disputes were strung throughout the long hearing, and to the dismay of the Council present, both Complainant and Respondent subtly accused each other of violating ASB Code Title VI, specifically § 102 (A&C).

These inconveniences posed on the council would not cause concern enough to write a memo such as this one; in fact, many disqualifying ERB appeals cases contain similar instances of emotion during these long hearings. These are natural responses to high stress cases. The cause for concerns lies at the continued behavior before and after the Council convened. Continued. Whispers of “rigged elections” and a “rigged case” have continued to be echoed since the election process concluded. During the hearing itself, it became apparent that much of the change that was called for in relation to the current state of ASB Constitution Article III § 2(B) could have occurred if not for the political nature of the ASB Senate and Executive Board. Personal conflicts proved to be at the heart of this issue before AO 25-02 was written or published. Personal and political ambition seem to loom behind some of the ASB memberships various activities. This memo does not mean to target any individual or groups of individuals, and this sort of blind personal ambition might affect some of every department or branch.

The Council **urges** the wider Associated Student Body membership to correct this course. We as members of the ASB must recommit ourselves to the Creed and Ethics Code.