



#2021-02-MAR24-G01

Election Complaint of a Possible Violation of the SEC by the Mutombo/Wright Campaign

Justices Present: Associate Justices Ryan T Quandt, Matt J Brookes, Ambika Burramukku, and Christin Renee Evans

Chief Justice: Ashley Putnam-Murry

Narrative:

On March 20, 2021, the Election Promotion Committee (EPC) received a complaint from Alex Lawrence, a student, regarding a possible violation of the Student Election Code (SEC) by the Mutombo/Wright campaign slate. It was reported that this campaign was in violation of WMU chalking guidelines, found under the Flyer and Poster Posting Guidelines of the WMU Office of Student Engagement, which in turn is a violation of Article 7, Section 1, Subsection G. of the SEC. The email included photos of the chalking in promotion of the Motumbo/Wright campaign on the steps outside Miller Plaza. Multiple instances of the chalking on several steps are visible in the pictures. The EPC's complaint review was then sent to the Judicial Council on Monday March 21, 2021 to conduct an investigation to determine whether a violation of the SEC occurred and if so, whether a demerit would be assessed. The Judicial Council discussed on email Tuesday March 23, 2021 and Wednesday 24, 2021 to discuss the case.

Questions:

- Was the chalking on the stairs of Miller Plaza in violation of Article 7, Section 1, Subsection G of the Student Election Code?
- Was the chalking on the stairs of Miller Plaza in violation of the Flyer and Poster Posting Guidelines of the Office of Student Engagement?
- Was there a violation of the SEC by the Mutombo/Wright campaign slate? If so, should a demerit be assessed?

Findings:

In response to the question "Was the chalking on the stairs of Miller Plaza in violation of Article 7, Section 1, Subsection G of the Student Election Code?", the Judicial Council found through reviewing the Student Election Code the Mutombo/Wright campaign was in violation of Article 7, Section 1, Subsection G of the Student Election Code with a vote of 5-0-0

In response to the question "Was the chalking on the stairs of Miller Plaza in violation of the Flyer and Poster Posting Guidelines of the Office of Student Engagement?", the Judicial Council

found after investigating and reviewing the Flyer and Poster Posting Guidelines of the Office of Student Engagement that the Mutombo/Wright campaign slate was in violation of Section M, Subsection V with a vote of 5-0-0.

In response to the question “Was there a violation of the SEC by the Mutombo/Wright campaign slate? If so, should a demerit be assessed?”, the Judicial Council found that there was a violation of the SEC, and one demerit should be assessed with a vote of 5-0-0

Reasoning:

After reviewing the Student Election Code, the Flyer and Poster Posting Guidelines of the Office of Student Engagement, and the photos that were provided as evidence that the Mutombo/Wright campaign slate was in violation of Article 7, Section 1, Subsection G which states that all chalking should be with Western Michigan University Guidelines which based on the evidence was not. Section M, Subsection V of the Flyer and Poster Posting Guidelines states that all chalking on steps is prohibited which the photos prove that there was a violation of that. Since there were photos that showed the chalking being on the steps there was a violation of the SEC and Flyer and Poster Posting Guidelines. 5-0-0

Orders:

One demerit will be assessed to the Mutombo/Wright campaign with a vote of 5-0-0

This document was prepared by Chief Justice Ashley Putnam-Murry