

IN THE STUDENT JUDICIARY
FOR THE UNIVERSITY OF ALABAMA

No. 23-004

BRODIE BROWN;
STUDENT, UNIVERSITY OF ALABAMA

ZACH JOHNSON;
STUDENT, UNIVERSITY OF ALABAMA:

JOHN RICHARDSON;
CANDIDATE, STUDENT GOVERNMENT ASSOCIATION

Appellant,

versus

ANSLEY STAMPER;
CHAIRPERSON, ELECTIONS BOARD; ELECTIONS BOARD et al;

Appellee,

Election Appeal for Judicial Review

OPINION

CHIEF JUSTICE THOME delivered the Opinion of the Court, which was joined in full by the Panel of Justices present on the case.

I

Let it be known that the Judicial process regarding Elections Appeals differs slightly from those cases seen on a regular basis by the Court regarding other matters. In standard Judicial Appeals, the Court would hear a case between a Complainant and a Defendant. However, Elections Appeals differ slightly in that the Court serves as an appellate body to hear matters that have previously been adjudicated by the Elections Board. The Court finds multiple issues to be addressed with urgency in Appeal 23-004.

II

In their initial decision sent to the Appellant(s), the Elections Board states that they found the appealing party responsible for the points awarded to them on the consensus that a business card handed out to accepting members of the student body was “a manifestation of a mobile polling station as referenced in the Mandatory Candidate Interest Meeting PowerPoint”. When adjudicating Appeal 23-004, the Student Judiciary sought to find language in either the Elections Manual, Constitution, or Code of Laws that clearly outlined the parameters of the kind of “mobile voting station” that the Elections Board penalized the Appellant for allegedly producing and dispersing. However, after extensive review of each governing document, the panel of Justices found no such language to be present in any of the governing documents that set precedent for the elections and appeals processes.

Furthermore, in the evidence provided to the Court, a member of the Panel of Justices chose to scan the QR code that stood as the purported mobile voting station. Upon doing so, said Justice was directed to a list of links that was comprised of the following:

“Instagram”

“Volunteer Form”

“Volunteer GroupMe”

“Policies and Purpose”

“Regulations for Campaign Team Members”

“MyBama”

“Set a Google Calendar Reminder”

“Set an Outlook Reminder”

“Set an Office 365 Reminder”

Nowhere in this list of links was there any incentive to cast a vote towards candidate Richardson. Rather, students who clicked the “MyBama” link would be directed to their own student account, providing a direct line of access to vote for whomever stood as their preferred candidate. None of the subsections present in “Article XIII. Election Fraud” of the Elections Board Manual are applicable as a means of providing a major violation to the campaign of John Richardson, as the Elections Board has previously ruled. The Court found that the business card passed out by the campaign of John Richardson does not violate the integrity of the electoral process in any way and is no different than a student willingly listening to a candidate speak to them at an event they freely attend.

III

In their deliberations, the Court did find that the Elections Board's sentiment towards mobile polling stations as a cause for potential concern to be valid. With that said, if the Elections Board wishes to penalize a candidate for providing a business card as a mobile polling station—or any other form of mobile polling station—they must do so through a clear outline and addition of such language in the Elections Board Manual. As it is currently written, the Court found that the Manual does not provide the standing for such a penalization to be given. Finally, the Student Government Association Constitution, which stands as the preeminent governing document for all members of the SGA states that:

“All rules and regulations of the Student Elections Board shall reside in the Elections Manual, which shall be pursuant to only this Constitution.”

To the Panel of Justices hearing Appeal No. 23-004, this means that if the Elections Board desires to assign points to candidates for an alleged mobile voting station, language outlining the rules and regulations for candidates to adhere to should all clearly exist in the Elections Board Manual.

ORDERS

IT IS HEREBY ORDERED: That the Elections Board outline more clearly the parameters for which penalties are given in the Elections Board Manual.

IT IS HEREBY ORDERED: That the Court will vacate the previous ruling made by the Elections Board in Appeal 23-004, thereby removing the 9 points previously imparted to the Appellant in this case.

It is so ordered,

A handwritten signature in black ink that reads "Caleb Thome". The signature is written in a cursive style with a large, looping 'C' and 'T'.

Caleb Thome,

Chief Justice, Student Government Association