ASUCI Judicial Board

Isabelle Lee,

v.

Logan Knight.

Hereby denoted as: *Lee v. Knight II*.

Ruling

Dated: April 23, 2020

Abundis, C.J., delivered the opinion of the Board, in which Gandall K., Gerald Q., Naqvi K. and Bunda J. joined. Anayat T., took no part in the consideration or decision of the case.

Chief Justice Abundis delivered the unanimous opinion of the Judicial Board,

The petitioner's elections complaint seeks remedy for defamatory and fallacious remarks made by Candidate Knight on a social media platform regarding "his opponents." There exist no active prohibitions of defamatory speech in any existing or overturned Elections Code, though there are certain provisions in the ASUCI Ethics Code prescribing honesty in ASUCI candidates and officers alike. The Judicial Board holds that the provisions in the Ethics Code do not apply to campaign speech in the manner in which they apply to regular behavior and as such no punitive measures shall be taken against Candidate Knight.

I.

As stipulated in other election complaint rulings emerging from the current election season, the Judicial Board finds that there are no Election Codes currently binding the ASUCI elections.[1]

Given that there are no election codes in effect other than RONR, then it is only upon prohibited behavior banned or regulated in RONR that could result in punitive action to be taken for the behavior alleged by the petitioner. The Judicial Board determines that there is no limitation like that which prior versions of the ASUCI Elections Codes have had in the past preventing the use of ASUCI property in campaigning and so the actions of the Candidate Knight are not found punishable by the Judicial Board.[2]

* * *

The Judicial Board rules as follows, upon the recommendation of the Elections Commissioner: Candidate Knight the subject of the submitted Elections Complaint is not to be punished for campaigning on the platform alleged in the elections complaint.

It is so ordered.

[1] See *Dang v. Mendez*.

[2] Note here, that the Judicial Board does not make a fact-finding as to whether Ms. Quatch engaged in campaigning on ASUCI property. The issue need not be determined as the issue is null, given that even if she was found to be campaigning on ASUCI property, the behavior would not be prohibited.

Michelle Abundis
Chief Justice

Quincy Gerald
Vice Chief Justice

Kulsoom Naqvi
Associate Justice

Kimo Gandall
Associate Justice

Jeremy Bunda
Associate Justice