

SPRING TERM, 2015

**JUDICIAL COURT OF THE TEXAS A&M
STUDENT GOVERNMENT ASSOCIATION**

Case Number 67-04

ISAIAH TSAU v. ELECTION COMMISSIONER EMMA DOUGLASS

SYLLABUS

The defendant assessed a campaign slogan written on an Evans Library Annex chalkboard and posted on social media as a major violation under the assumption the supporter wrote on a classroom chalkboard, a restricted campaign area. The plaintiff requested the defendant lift the major violation fine removing his disqualification from holding office.

JUSTICE JAMES delivered the opinion for the Court, in which C.J. Cooper, JJ. Halbert, Hadjis, and Maredia join:

Based on clear photographic and video evidence, both parties agreed the defendant should revoke the Tier 1 fine in excess of two hundred dollars. As the plaintiff originally exceeded his budget by one hundred eleven dollars, he is no longer disqualified and prohibited from holding an office within the Student Government Association.

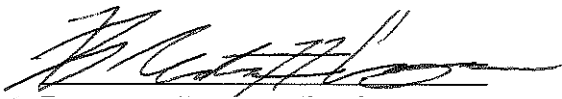
The court recognizes the text of the Election Regulations defining classrooms as "off limits to campaigning during the campaign period" in Article III, Section b, Subsection vii. Had the plaintiff or his supporters written a slogan on a classroom chalkboard, the court would raise no question concerning the defendant's application of the rule. However, Article III, Section b, Subsection vi states, "Other forms of campaigning-specifically those that do not involve distribution of materials-may occur anywhere on campus if that location or activity is not in conflict with any other regulation or restriction." The photograph depicting the social media post and video of the erased chalkboard in the Evans Library Annex allow the parties and court to identify the true location of the campaign activity.

Though the defendant cannot be faulted from a misunderstanding, the plaintiff proceeded correctly in filing an appeal with the judicial court as the "liberties and interpretation given specifically to the Election Commissioner" of the Election Regulations "are subject to review by the Student Government Judicial Court" (Article I, Section b). The defendant also acknowledged the

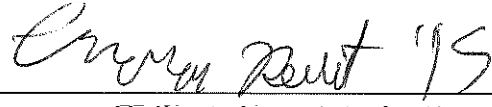
court as the outlet to remedy her actions, confirming the powers granted to the court by Article IV, Section I of the SGA Constitution to rule on "any case between any student and any member of the Student Government Association in regards to: this Constitution; any statute; any rule or procedure enacted pursuant to this Constitution or any rule or procedure enacted pursuant to any statute; or any action or inaction authorized by the same."

Accordingly, we REVERSE the decision of the Election Commissioner and invalidate the aforementioned penalty to Isaiah Tsau's campaign.

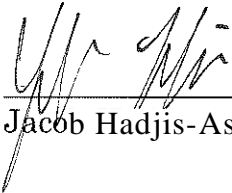
67-04 Decision



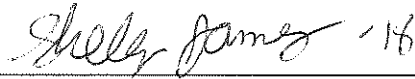
Brenton Cooper-Chief Justice



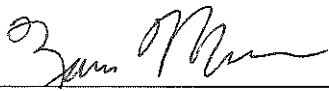
Cameron Halbert-Associate Justice



Jacob Hadjis-Associate Justice



Shelby James-Associate Justice



Zain Maredia-Associate Justice