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THE JUDICIAL COURT OF TEXAS A&M

Petition for Writ of Certiorari

Petitioner Information

Name: Ankit Lulla

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Filing Against

Name: Jared Ramos

Organization: The SGA Election Commission

Position: Election Commissioner

STATEMENT OF RELEVANT FACTS

The following statement of facts outlines a series of instances in which the Texas A&M SGA Election Commission consistently failed to accurately rule on violations, ranging from minor infractions to egregious breaches of election regulations. These improper application of the Election Regulations, particularly concerning potential major violations, have had a profound and detrimental effect on the integrity and fairness of the election process. Through a thorough examination of these rulings, it becomes apparent that the Election Commissioner's assessments have frequently deviated from established regulations and previously set precedents. The recurrent nature of these erroneous rulings underscores the need for a critical review of the Election Commission's handling of violation assessments. The nature of the minor and major violations that were not properly assessed represents a clear impediment to the conduct of a fair and equitable election. It is imperative that these issues be thoroughly examined and rectified to uphold the fundamental principles and ensure the integrity of future electoral processes.

Specifically, there are several reported violations on the Cade Coppinger campaign for Student Body President that the Election Commissioner failed to properly apply the Election Regulations when assessing. These violations, if assessed in accordance with the Election Regulations, would result in significantly greater fines and penalties, which would have potentially resulted in the disqualification of the aforementioned candidate, changing the outcome of the Student Body President race. By improperly applying the Election Regulations, the Election Commission has failed to execute the Commission's primary charge outlined in the S.G.A.C. As such, I seek to appeal the outcome of the Student Body President election to the Judicial Court of the Student Government Association. I request the Judicial Court to utilize its authority vested by the S.G.A.C. to review and ensure the Election Commission is in compliance with the S.G.A.C. and the Election Regulations.

I formally request that the Court reviews the following reported violations pasted word-for-word below on the Election Commission's Spring 2024 Violations report to ensure that the Election Commissioner and Election Commission properly applied the Election Regulations when assessing:

Violation #38 & #40 & #42

Violation Description: In light of the regulations set forth by the Texas A&M SGA election commission, specifically regarding fair market value assessment and the guidelines for disqualification, it is highly probable that Cade Coppinger's actions constitute a violation of these rules. By inaccurately assessing the fair market value of the soccer ball used in his campaign video, which was significantly undervalued compared to its actual price, Cade misled the election commission and potentially gained an unfair advantage over other candidates. This violation undermines the fairness and integrity of the election process, as it goes against the principles of transparency and honesty that are essential for a free and fair election.

- 1) By undervaluing the soccer ball in his expense report, Cade misled the election commission and potentially the voters. The purpose of fair market value assessment and expense report is to ensure transparency and honesty in campaign finances. Cade's actions undermine this principle and could lead to a perception of unfairness among voters, as well as delegitimizing the elections.
- 2) The false fair market valuation of the soccer ball could be seen as an attempt by Cade to gain an unfair financial advantage over other candidates. Such actions could impact the fairness of the election by creating an uneven playing field where candidates are not held to the same standards of financial transparency.
- 3) Upholding the integrity of the election process is paramount. Any actions that undermine the fairness and transparency of the process must be addressed firmly.
- 4) By purposefully undervaluing the soccer ball, Cade may have sought to gain an unfair advantage over other candidates who adhered to the rules and accurately reported their expenses. This would undermine the fairness of the election process and suggest a lack of integrity on Cade's part.
- 5) Cade has a history of accurately valuing other campaign expenses and only selectively undervalued the soccer ball. It could suggest a deliberate attempt to manipulate his reported expenses to stay within the budget limit and not get disqualified. This pattern of behavior would further support the argument that the

undervaluation was intentional rather than accidental. However, this does raise questions about the accuracy of his valuing of volleyball and football.

6) The Election Commission has a duty to uphold a free and fair election. Any actions by candidates that could potentially compromise the fairness of the election, such as misleading information about campaign expenses, may be considered a significant ethical violation, which is a major violation.

7) The regulations reference the Aggie Core Values, which include integrity, excellence, leadership, loyalty, respect, and selfless service. By undervaluing the soccer ball, Cade may have violated the core value of integrity, which emphasizes honesty and transparency in all actions, as well as possibly implying a massive 'I don't care' towards the Election Commission.

The regulations require candidates to assess fair market value using a minimum of two vendors, and if a candidate lists less than the required number of acceptable vendors, they shall receive a minor violation. However, the regulations do not specify that the vendors must be local, only that the fair market value should be based on local prices, therefore the above points still stand, as every other person in Bryan/ College Station can get the exact ball used by Cade at the price shown in the evidence, albeit online, and if there were a store selling it in CStat, it would be at that price. The belief is that that specific clause was meant to prevent candidates from undervaluing campaign materials if they found them for cheaper online, and this is the complete opposite. If the Commission however decides that it does not warrant a violation, well, then what's stopping a candidate from interacting with say a \$5000 high-end signboard that was donated to them off EBay or Etsy, for the purpose of soliciting votes, and the only locally available similar equivalents were like \$500 or \$600 It's obvious that it would make a sizable difference in a candidate's campaign over their competitors, and the candidate would not be breaking the rules

For a description of the evidence: the first video is the candidate's campaign video. The second piece of evidence is the zoomed-up freeze frame of the soccer ball from the video. Only two soccer balls with that color scheme and pattern exist currently. One of them is modestly priced, the other is expensive. The silver streaks on the ball in the image are only present in the more expensive ball. No, that's not grass stains. No, it is not a mini-ball either, that's way too big for a mini ball. The next piece of evidence is another freeze frame. Focus closely, and you'll see that there is a white shape in the middle of the colored area in the ball. That white shape could only be the MLS logo, and the MLS logo is in the middle of the color in only the expensive ball, the cheaper one doesn't have that feature. Therefore, a reasonable person can conclude that this is an expensive ball, and Cade has undervalued it. Sure, the evidence is blurry, but if looked at hard enough, it makes sense. Not enough evidence cannot be an argument in this case. If the candidate somehow manages to prove beyond doubt that this reasoning is against all odds wrong and it was in fact the cheaper ball, I just wasted a bunch of my time, but massive props to him. If the Commission throws this out, then...at least it'll be a good read on the public report.

Cade and his team claimed to have a fair market valued soccer ball for \$10, significantly below its actual value of approximately \$169.99- \$199.00. The purpose of a fair market value is to expense it. The ball in question was used in the sports video that was posted on instagram. Other individuals have confirmed that the soccer ball in question is worth significantly more than it is fair market valued at. The video was filmed with members of the Aggie women's soccer team and their official equipment (adidas soccer). This

soccer ball is very noticeable and unique to many because of its unique and distinct colors. These balls are known to be the soccer balls that the Aggie womens soccer team uses as shown in an instagram post (evidence included is from the post video) that was posted by the womens soccer team. Upon further investigation, it has been determined that there is no physical retailer in College Station selling the same type of soccer ball (Adidas MLS Pro Soccer Ball 2023 Style: HT9026 regular sized) for the claimed purchase price. This lack of availability indicates that the fair market value of the ball is truly invalid. Not only that but the price of the ball is indeed much higher than what Cade and his team has reported. Even if they choose to argue that the ball in question is the (Adidas MLS Pro Soccer Bball 2023 Style: HT9026 mini) the closest location for purchase is Dallas 6375 E. Northwest Highway , Dallas, TX 75231 which is 187 miles from College Station, TX therefore not accessible to be fair market valued properly.

The falsification of documents related to the purchase price of campaign materials, particularly when it comes to donations and fair market value items, violates campaign ethics by misrepresenting the cost of the soccer ball. The soccer ball that Cade “expensed” was either improperly expensed and would need a real fair market value amount from a local store in the bryan/college station area. Candidates need to properly and adequately expense fair market value of any material that is donated or borrowed.

Everything you expense in an election you should have researched. The level of care and attention to detail that is required to complete such a concise and detailed expense report especially with a team of individuals who are experienced and aware of the rules, implies that the candidate and team in question ought to have likely understood the true purpose of fair market valuing an item. They chose to fair market value the soccer ball significantly lower in order to evade expensing the true cost of the campaign material in question. The ball is also more physically attractive and convenient. They used the ball the athletes typically use to have the athletes perform better in the video in order for their video to look better in order to solicit votes and entice voters. This action also disproportionated and affected the candidates opponents, due to the fact that they knew if they wanted to use an item of this caliber that they would have had to properly fair market value the item which is highly expensive. Every other candidate adhered to the rules laid out by the commission and commissioner. In summary,

- 1.) They failed to keep accurate and up-to-date records of campaign receipts and expenditures by misrepresenting the fair market value of the soccer ball
- 2.) The claimed purchase price of \$10 significantly deviates from the fair market value of the soccer ball, indicating a potential violation of accurately assessing the fair market value of campaign materials
- 3.) They did not properly assess the fair market value for the donated soccer ball or campaign materials used, as evidenced by the significant discrepancy between the claimed purchase price and the actual fair market value.

Decision of the Commission:

Not a violation - The Commission did not have sufficient evidence to confidently conclude that the soccer ball was intentionally undervalued in order to undermine the FMV form.

Item description:	Soccer Ball	
Vendor 1:	Walmart	Vendor 1 price: \$9.98
Vendor 2:	Academy	Vendor 2 price: \$9.99

Evidence: https://drive.google.com/drive/u/1/folders/1ztYuP6tFIVtH4oY1JEyeG3eGdxzcHq_9

It should be noted that the Commission's responsibility isn't to determine intent. It's to identify instances in which items have been undervalued—creating an apparent rift of inequity between candidates & the resources accessible to them. Intent is not grounds for a defense; if one were to be caught speeding, police wouldn't care about the intent to speed or not—simply put, if one has sped, a ticket is the necessary repercussion. Intent is irrelevant.

Violation #24

Violation Description: One of Cade Coppinger's banner holders is pictured physically impeding the natural flow of pedestrian traffic at the entrance to the Memorial Student Center. It is clear in the photo that any pedestrians would have to go around them in order to enter the MSC as her foot is clearly on the entrance mat. It is also clear that the banner belongs to Cade Coppinger, as the portion of the logo pictured matches his campaign logo (attached).

Decision of Commission:

Not a Violation - The supporters are bannering off to the side of the entrance to the MSC and does not interfere with the natural flow of pedestrian traffic.

Evidence: <https://drive.google.com/drive/u/1/folders/1f86QJMVJQULVQw45Mj0tYnBljwoVeBSX>

This violation included a photo in which a supporter of the Candidate's campaign can be clearly seen stepping on the entrance mat in front of the MSC, and therefore, not off to the side of the MSC doors but in front of them, to solicit the attention of passers-by—against 5.2. (f). Further, the image clearly shows the support blocking half of the entrance to the MSC door.

Violation #25

Violation Description: Cade Coppinger's bannering team engaged in campaigning activities within the Memorial Student Center (MSC). Despite clear regulations prohibiting such activities within the MSC and blocking traffic.

A member of his team was seen holding a banner near the entrance of the MSC and distributing campaign materials to individuals as they entered into the MSC. It is clear in the video that the member of Cades team is handing a student campaign materials as the student is inside the MSC. The exchange of campaign materials is clearly evident as the student enters, the campaign team member reaches her hand through the door handing the student campaign materials inside the MSC.

Her hand has passed the threshold of the MSC door (by placing a flier into the student's hand as the student is fully inside the MSC). This is is now considered "actively campaigning inside the Memorial Student Center"

Not only that, his campaign team is standing very closely to the entrance of the MSC, blocking the flow of traffic, enabling individuals to have to sidestep to enter into the building to avoid running into the bannering individuals (as seen in the clip attached).

This is a clear violation of actively campaigning inside the MSC. Her head is now over the line that constitutes the MSC. For example, if your legs are in the people, people consider you "in the pool", this is exactly the same situation in this case.

Decision of Commission:

Not a Violation - Reference violation #24. In addition, the supporter is standing outside the MSC and it cannot be confidently determined that her hand "crossed" the threshold of the MSC.

Evidence: https://drive.google.com/drive/u/1/folders/1C_vOY2ztO5OLgzRdEFHsLOD2GW2IrLgX

Violation #39 & #46

Violation Reported: Gus Rodriguez is the Commander/advisor of the Cadet Leadership Council (CLC).

Trey Bass is a Freshman member of the Cadet Leadership Council, a member of Fish Aides, and a member of Student Body President Candidate Ben Crockett's campaign.

Gus Rodriguez reached out to Trey Bass over Instagram DMs in regards to a campaign video that Trey appears in. The campaign video is in support of candidate Ben Crockett and Trey had reposted it on his social media platform.

Rodriguez explains to Bass in the conversation that he must remove the Crockett campaign material from his Instagram immediately as the CLC rules prevent issued endorsements in favor of any SBP Candidate besides the one who is voted for and approved by CLC.

Gus Rodriguez later reaches out to Ben Crockett in regards to Trey Bass. Ben Crockett asks Rodriguez if the implications of Trey Bass remaining on his campaign team would lead to Bass's removal from the CLC. Gus Rodriguez responds with the following, "Yeah that's the recourse to disregard that standing order."

The actions of Gus Rodriguez should be considered a violation of the principles of a free and fair election. Candidates and their campaign endorsements should not interfere with the free will of voters or use their positions with endorsements to do so.

Rodriguez's statement that Trey Bass is liable for removal from the CLC for his continued support of Ben Crockett introduces a violation of coercion and intimidation. This tactic discouraged a voter and supporter of a candidate from expressing their genuine political preferences undermining the democratic nature of this process.

By claiming that CLC members are prohibited from being able to endorse any other candidate other than the one by CLC, Rodriguez is exerting undue influence on the endorsement process.

In regards to Cade Coppinger's campaign team, the CLC endorsement is being used in a way that obstructs the free and fair nature of voting. It violates the impartiality and equal opportunity for all candidates.

The mention of Aggie Core Values within the violation that occurred underscores the importance of adhering to principles such as integrity, excellence, leadership, loyalty, respect, and selfless service. The actions that occurred by an endorsement group of Cade's campaign infringe on individual rights of Trey as a student of Texas A&M and directly conflict with these Core Values.

What is a supporter? A supporter is anyone who (including but not limited to): (1) Speaks as a delegate of the candidate, posts or shares material online as a delegate of the candidate, holds banners, or distributes campaign materials as a delegate of the candidate.

Decision of the Commission:

Not a violation - The Commission cannot confidently determine that the candidate was involved in any conversation regarding CLC organization matters. Additionally, the commission cannot confidently determine that the individuals in the matter are acting as delegates of the candidates.

Evidence: <https://drive.google.com/drive/u/1/folders/1BAimaIyn7XSaXR8gyekOEzJqCm6iyTVc>

As is described in the evidence by the representative authority of the CLC, a Recognized Student Organization of Texas A&M, the Corps member supporting another SBP campaign would've been kicked out of his Student Organization had he kept supporting his favored candidate. This intimates the coercive behavior described above in the violation filed. In a free and fair election, the status of one's political/personal allegiances should not be compromised by threat of revoking membership status of a student organization.

Violation #36

Description of Violation: Members of Cade Coppinger's campaign team were observed outside the MSC bannering with a JBL speaker. The girls that were bannering, would continuously ask people passing by if they enjoyed the music that was playing, when they would respond "yes", they would state well if you like this music you should vote for Cade Coppinger because he likes this music as well. With these comments, the speaker that was being used for music was being used to solicit votes. The speaker, originally intended to provide background music, became a tool for soliciting votes, boosting Cade Coppinger's candidacy. Therefore the speaker at the banner should have been expensed on the candidates expense report. The speaker was being used to entice voters to vote for the candidate. The speaker in question is believed to be either a "JBL charge 4 waterproof portable speaker- pink." or a "MIATONE speaker-pink". It is believed to be a JBL speaker because of the distinct rope that is attached to the speaker that is specific to that of JBL. If it is hard to prove the specific speaker type because of the picture and evidence provided, a speaker was still being used at the candidates banner and was not expensed for properly. They made a deliberate attempt to hide the speaker

Decision of Commission:

Not a violation - Insufficient evidence to determine that the object in the video is a speaker, furthermore the speakers referenced in the evidence. The video evidence is insufficient in reasonably proving that the supporters were soliciting votes from the general public.

Evidence: <https://drive.google.com/drive/u/1/folders/1Q56amKeUKzXgYC61XGN-G42L9anuMN9X>

APPLICABLE STATUTES

General:

V S.G.A.C. §104.5(3)

"A primary charge of the Election Commission shall be to organize and oversee all Student Government Association elections in accordance with the Election Regulations Act (Title V Chapter 601)."

V S.G.A.C. §601.10(4)

“(a) A candidate may contest an election no sooner than after the announcement of unofficial results, and later than forty-eight (48) hours after the unofficial results are announced by filing an appeal with the Judicial Court stating the basis on which the election is contested. (1) In any appeal concerning election fines, disqualifications, or the improper application of these Regulations, the defendant shall be the Election Commissioner”

V S.G.A.C. §601.6(1)(1)

“Candidates for any election shall be responsible for these regulations provided herein. Ignorance of these regulations shall not be an acceptable defense in response to any offense in any election.”

V S.G.A.C. §601.6(4)(3)(a)

“Campaign materials are defined as anything distributed or displayed for the purpose of soliciting votes for a candidate.”

V S.G.A.C. §601.6(4)(1)(b)

“The candidate shall be held responsible for the actions taken by their supporter. Any violation of the regulations by a supporter of a candidate could result in a fine for the candidate. A supporter is anyone who (including but not limited to): (1) Speaks as a delegate of the candidate, posts or shares material online as a delegate of the candidate, holds banners, or distributes campaign materials as a delegate of the candidate.

V S.G.A.C. §601.6(4)(3)(a)(2)

“A candidate should expense items that are used in campaigning that they interact with for the purpose of soliciting of votes”

V S.G.A.C. §601.6(5)(3)(4)

“Evidence found on the internet of physical campaign violations shall be accepted by the Election Commission.”

V S.G.A.C. §601.6(6)(3)(a)(1)(iii)

“Obstruction of the free and fair nature of voting shall include but not limited to operating a polling location without the consent of the election commissioner; candidates and their staff asking students to vote in their presence, an/or coercing students to vote against their own volition.”

V S.G.A.C. §601.6(6)(3)(a)(1)(iv)

“The Election commission may determine what constitutes significant ethical violations based on judgment of common sense and reasonability, in accordance with the Election Commission’s duties to uphold a **free and fair election**, to look after the safety of their fellow students, and to adhere to the standards of the **Aggie Core Values**.”

V S.G.A.C. §601.6(6)(3)(b)(1)

“Minor violations include, but are not limited to: pre-campaigning, finance violations and offenses not included within the major violations criteria as determined by the election commission and these regulations”

V S.G.A.C. §601.6(6)(4)(b)

“Disqualifications shall only be applied in cases where the violation be confidently determined to undermine the free, fair and safe nature of the election, or the candidate has committed an act which prevents them from maintaining qualification as a candidate within the current election”

V S.G.A.C. §601.6(6)(4)(f)

“It is the responsibility of the candidate to **accurately report and assign value to all campaign materials**. For campaign materials that are determined to be unexpensed, the Election Commission shall impose a sanction on the candidate’s budget proportional to the value of the unexpensed materials... However, **if the Election Commission obtains a preponderance of evidence, supported by logical common sense, indicating that the candidate had the ability to report and value the campaign materials but failed to do so, the candidate will be subject to additional penalties of 50% of the determined value of each unexpensed item.**”

V S.G.A.C. §601.6(7)(1)(a)(1)(i)

“Any campaign material obtained through a monetary transaction of exchange of value, either before or briefly after its use, regardless of the amount exchanged, shall be classified as ‘purchased’. However, **if it is determined that the value exchanged is an unreasonably significant deviation from the fair market value, as determined by the standards of a majority of reasonable people, the election commission may assess the item’s value based on fair market value rather than the exchanged amount. Campaign materials received without a monetary transaction or exchange of value shall be classified as ‘donated**.

V S.G.A.C. §601.6(7)(1)(7)(iii)

“All donated materials are to expensed at **fair market value, regardless of quality**”

V S.G.A.C. §601.6(7)(1)(7)(iv)

“rented items are to be expensed at **fair market value, regardless of quality**”

V S.G.A.C. §601.6(7)(1)(8)

“it is the responsibility of the candidate to assess a fair market value for any donated campaign materials or campaign materials used without any proof of payment.”

V S.G.A.C. §601.6(7)(1)(9)

“candidates must list the entire cost of each individual expense that results in campaign material that in any way suggests support for their candidacy.”

Violation #25:

V S.G.A.C. §601.5(2)(e)

“Areas inside the Memorial Student Center, Rudder Buildings, Rudder Fountain, classrooms, the Rec Center, and the John J. Koldus Building are off limits to campaigning during the campaigning period...K Any candidate found actively campaigning in the aforementioned areas shall be assessed a major violation”

HOW THE STATUTES ARE APPLICABLE

V S.G.A.C. §104.5(3) - This statute defines the overall responsibility by explicitly stating the Election Commission's primary charge is to oversee elections in accordance with the Election Regulations, and this petition asserts the Election Commission has failed to do so.

V S.G.A.C. §601.10(4) - This statute provides the Judicial Court the authority to be the sole body of appealing the election results, including in circumstances where the Election Commissioner has improperly applied the Election Regulations.

V S.G.A.C. §601.6(1)(1) - This statute reinforces that candidates are accountable for understanding and adhering to all election regulations outlined. It explicitly states that ignorance of these regulations cannot serve as a defense for any offense committed during an election. Therefore, the candidate cannot evade responsibility for violations, regardless of their awareness of the regulations. Every candidate is called

V S.G.A.C. §601.6(4)(3)(a)- In the context of the regulations, campaign materials encompass any items that are distributed or displayed for the purpose of soliciting votes for a candidate. Both the speaker and the soccer ball used in Cade Coppinger's campaign activities would fall under this definition. Regarding the soccer ball, if it was prominently featured in campaign materials in the campaign videos with the intention of garnering support for Cade Coppinger's candidacy, it would be classified as a campaign material. As such, its fair market value should have been accurately assessed and reported in accordance with the regulations. Similarly, the speaker used by Cade's campaign team would also be considered a campaign material if it was utilized to engage with voters and solicit votes for the candidate. In this case, the cost or fair market value of the speaker should have been properly accounted for in the campaign expenses.

V S.G.A.C. §601.6(3)(1)(ii) - This statute defines falsification of fair market value assessment as the intentional and substantive distortion of the value of campaign materials, which undermines the transparent nature of the election. By intentionally undervaluing the official Aggie Women's Soccer team ball in the campaign video, the candidate engaged in falsification of fair market value assessment, compromising the integrity of the election.

V S.G.A.C. §601.6(4)(1) (b) - of the Election Regulations - The statute explicitly states that the candidate shall be held responsible for the actions taken by their supporters, meaning any actions undertaken by individuals in support of a candidate are ultimately the responsibility of that candidate. It provides a broad definition of a supporter, including anyone who speaks as a delegate of the candidate or posts and shares material online on behalf of the candidate. In this case, Gus Rodriguez's actions in posting an Instagram story in support of Cade Coppinger clearly fall within this definition, as he was acting as a supporter of Coppinger's campaign. The statute outlines potential consequences for violations committed by supporters, including fines for the candidate. If Rodriguez's actions are deemed to be in violation of election regulations, Coppinger may be subject to disciplinary measures, such as fines, as a result of Rodriguez's actions. This statute underscores the importance of candidates ensuring that their supporters adhere to election regulations and ethical standards, highlighting the candidate's responsibility for the actions of their supporters to maintain the integrity of the electoral process.

- The regulations clearly define a supporter as anyone who speaks as a delegate of the candidate, posts, shares materials online as a delegate of the candidate, or holds banners/distributes campaign materials as a delegate of the candidate. By posting an Instagram story in support of the candidate, Gus falls within this definition, making his actions attributable to the campaign.
- According to election regulations, candidates are responsible for the actions of their supporters. This ensures accountability and encourages candidates to ensure that their supporters adhere to campaign ethics and regulations.
- Allowing a candidate's supporter to engage in coercive or unethical behavior without consequences undermines the fairness and integrity of the electoral process. Holding the candidate accountable for the actions of their supporter reinforces the importance of maintaining ethical standards throughout the campaign.
- Consistency in enforcement is crucial to upholding the integrity of the electoral process. If violations committed by supporters are not addressed, it sets a precedent that unethical behavior will go unpunished, potentially leading to further violations by supporters of other candidates.
- Holding candidates accountable for the actions of their supporters ensures that their campaign operates ethically and in accordance with regulations. It promotes a culture of responsibility and integrity
- Gus's actions should indeed implicate the entire campaign, as per the regulations, and that holding the candidate accountable is necessary to uphold fairness and integrity in the electoral process.

V S.G.A.C. §601.6(4)(1)(b)(1) outlines major violations within the electoral process. These violations encompass a range of actions that undermine the integrity of elections and obstruct the free and fair nature of voting. The relevant provisions of this statute can be applied to the situation involving Gus Rodriguez's actions in support of Cade Coppinger's campaign and the intimidation tactics employed against voters supporting other candidates. One such provision identifies campaign ethics violations, which Rodriguez's actions, as described in the statement of facts, can be construed as. By leveraging his position within the Cadet Leadership Council (CLC) to coerce and intimidate a member supporting an opposing candidate, Rodriguez breached the ethical standards expected of individuals involved in the electoral process. Additionally, the statute also identifies obstruction of the free and fair nature of voting as a major violation. Rodriguez's actions, including his communication with Bass to discourage support for a specific candidate and his implication of potential repercussions for Bass's continued involvement with an opposing campaign, constitute a clear obstruction of the free and fair exercise of voting rights. Furthermore, the statute grants the Election Commission the authority to determine what constitutes significant ethical violations based on common sense and reasonability. In light of Rodriguez's actions, which clearly contravene the principles of fairness, integrity, and respect for individual rights within the electoral process, the Election Commission has a duty to uphold the standards outlined in the statute. Rodriguez's behavior, aimed at manipulating the election outcome and suppressing support for opposing candidates, warrants scrutiny and potential sanctioning by the Election Commission in accordance with its duties to ensure a free and fair election.

- i. **Lack of Respect:** Gus's attempts to coerce and intimidate a member supporting an opposing candidate demonstrate a lack of respect for individual autonomy and political preferences. By pressuring Trey Bass to remove campaign material from his social media and implying potential

repercussions for supporting a different candidate, Gus showed disregard for Trey's right to freely express his political beliefs.

- ii. **Integrity:** Integrity entails honesty, fairness, and adherence to ethical principles. Gus's actions, aimed at manipulating the electoral process and suppressing support for opposing candidates, undermine the integrity of the election. By leveraging his position within the Cadet Leadership Council (CLC) to influence members' political affiliations, Gus compromised the fairness and transparency of the electoral process.
- iii. **Leadership:** Leadership involves setting a positive example and guiding others toward ethical behavior. As the commander of the CLC, Gus holds a position of leadership and influence within the organization. His actions in support of Cade's campaign, which may have involved coercion and misuse of authority, reflect poorly on his leadership qualities and set a negative precedent for other members of the CLC.

Violation of Election Regulations: Gus's actions constitute a violation of election regulations, particularly those prohibiting coercion, intimidation, or interference with the free and fair exercise of voting rights. The provision granting the Election Commission discretion to determine significant ethical violations should be applied in evaluating Gus's conduct, considering its potential impact on the integrity of the electoral process and adherence to the Aggie Core Values.

V S.G.A.C. §601.6(4)(3)(a)(2) - Speaker (See Violation #36) The regulation stipulates that candidates must expense items used in campaigning when they interact with them for the purpose of soliciting votes. In the case of the speaker used by Cade Coppinger's campaign team, if it was utilized for the explicit purpose of soliciting votes, it should have been properly expensed on the candidate's financial report. By actively using the speaker to engage with voters and potentially influence their voting decisions, Cade's campaign team effectively transformed the speaker from a passive object into a campaigning tool. Therefore, according to the regulation, the cost of the speaker should have been accurately reported as part of the campaign expenses. Failure to expense such items could be seen as a violation of election regulations, as it undermines transparency and fairness in the electoral process. Candidates are required to accurately report all campaign expenses to ensure accountability and uphold the integrity of the election.

V S.G.A.C. §601.6(5)(3)(4) - The evidence found on the internet regarding physical campaign violations, such as Cade's campaign video featuring the soccer ball, should be considered admissible. In this case, the video serves as a tangible piece of evidence that can be used to assess whether Cade violated election regulations regarding the fair market value of campaign materials. The video provides visual documentation of the soccer ball used in the campaign, allowing it to be evaluated on whether the reported fair market value aligns with the actual value of the item. By examining the footage, it can determine whether the reported value of the soccer ball is accurate or if it has been undervalued. Additionally, the video serves as a digital record of Cade's campaign activities, which is essential for ensuring transparency and accountability in the electoral process.

V S.G.A.C. §601.6(6)(3)(a)(1)(iii) - Regarding the Cadet Leadership Council (CLC), their involvement in the electoral process could potentially impact the fairness and freedom of voting. If members of the CLC were coerced or influenced by higher leadership, such as supporters of Cade Coppinger, to support a specific candidate, it would undermine the impartiality and integrity of the election. Moreover, if CLC members were publicly endorsing a candidate due to the fear of what could occur if they did not, that could be perceived as pressuring others to vote similarly, which would also violate the principles of fair and free voting. The CLC's role as a respected student organization within the university community means that their actions carry weight and influence. Any attempt to

manipulate or coerce CLC members into supporting a particular candidate could be seen as an attempt to sway the election unfairly and compromise the integrity of the voting process.

V S.G.A.C. §601.6(6)(3)(a)(1)(iv)- Cade Coppinger's actions during the election process have raised concerns about his adherence to Aggie Core Values and his commitment to ensuring a fair and free election. Firstly, undervaluing the soccer ball used in his campaign video demonstrates a lack of integrity, honesty and transparency in all actions as they relate to the election regulations. Secondly, his support engaged in coercion tactics as a leader in the Cadet Leadership Council (CLC) violating the principle of respect, which involves valuing the rights and opinions of others. CLC is a senate collaboration. It serves as an internal SGA restriction. Gus utilized his power within both SGA, Senate and the Corps of Cadets to restrict the voices of individuals by using his position of power to forcefully coerce others (both in the Corps and SGA) to directly support one candidate. Thirdly, by not expensing for campaign materials and potentially gaining an unfair advantage over other candidates, Cade's actions compromise the fairness of the election, as fairness requires that all candidates adhere to the same rules and standards. Finally, true leadership involves setting an example and upholding ethical standards, and Cade's reported violations undermine the leadership qualities expected of a candidate for Student Body President, as they demonstrate a disregard for the rules and principles governing the electoral process. In summary, the alleged actions not only fail to align with the Aggie Core Values but also disregard that of fairness and undermine the fundamental principles of a free and fair election.

V S.G.A.C. §601.6(6)(4)(b)- In the context of this case, the regulation becomes pertinent in evaluating the reported violation concerning the fair market value assessment of a soccer ball used in campaign materials. By inaccurately assessing the fair market value of the soccer ball, the campaign may have misrepresented its financial expenditures, potentially gaining an unfair advantage over other candidates. This misrepresentation violates the principle of transparency and honesty crucial for ensuring a free and fair election process, as outlined in the regulation. In the case of Cade Coppinger's campaign, it is probably that the undervaluation of the soccer ball was deliberate and the campaign had the means to accurately assess its fair market value. Regarding the speaker, the evidence suggests that members of Cade Coppinger's campaign team were observed using a JBL speaker during campaign activities outside the Memorial Student Center (MSC). This usage of the speaker as a tool for soliciting votes raises questions about whether its acquisition and use were properly expensed according to the regulations. Furthermore, the alleged coercion involving the CLC introduces another dimension to the case, potentially implicating the integrity and fairness of the election process. If members of the CLC were coerced or pressured into withdrawing their support for a particular candidate, it would undermine the democratic principles of free choice and fair competition. Any actions that compromise these principles, including coercion or intimidation tactics by a supporter, may be considered violations subject to sanctions by the Election Commission.

V S.G.A.C. §601.6(6)(4)(f) - The violation involving the misrepresentation of the fair market value of the soccer ball in Cade Coppinger's campaign video directly relates to V S.G.A.C. §601.6(7)(1)(7)(iii). This statute outlines the responsibility of the candidate to accurately report and assign value to all campaign materials. According to this regulation, candidates are required to provide an accurate assessment of the fair market value for any campaign materials used, including donated materials. Failure to do so constitutes a violation of election regulations and undermines transparency in campaign finances. In the case of the soccer ball, Cade Coppinger's campaign team claimed to have fair market valued the ball at \$10, significantly below its actual value of approximately \$169.99 to \$199.00. This misrepresentation of the fair market value of the soccer ball violates the aforementioned regulation. The campaign should have

accurately assessed and reported the true value of the soccer ball in their financial documentation. The campaign team also had the opportunity to properly fair market value and expense for the speaker that was used at their banner location.

V S.G.A.C. §601.6(7)(1)(a)(1)(i) - Violation #36 involving the use of a speaker during Cade Coppinger's campaign activities is directly relevant to V S.G.A.C. §601.6(7)(1)(a)(1)(i). This statute establishes the classification criteria for campaign materials based on their method of acquisition. According to this regulation, any campaign material acquired through a monetary transaction or exchange of value, whether before or shortly after its use, must be classified as "purchased." In the case of the speaker used during the campaign, if it was obtained through a monetary transaction or exchange of value, it should have been classified as "purchased" and accurately reported in the campaign's financial documentation. Failure to properly classify and report such campaign materials constitutes a violation of the election regulations, undermining transparency and integrity in the electoral process.

V S.G.A.C. §601.6(7)(1)(7)(iii) - This violation underlines the importance of accurately assessing and reporting the fair market value of donated campaign materials, including the soccer ball and the speaker used in the campaign video and at the banner location. If the soccer ball was donated rather than rented or purchased, its fair market value should still have been determined and expensed accordingly.

V S.G.A.C. §601.6(7)(1)(7)(iv) - This violation stipulates that items must be expensed at fair market value, regardless of quality. This means that even if the soccer ball and the speaker was rented or borrowed for the campaign video and banner, its fair market value should have been accurately assessed and expensed accordingly.

Violation #38 & #40 & #42

V S.G.A.C. §601.6(7)(1)(8) - Violation #38 & #40 & #42 pertain to Cade Coppinger and involve the fair market valuation of a soccer ball used in a campaign video. The violations contradict V S.G.A.C. §601.6(7)(1)(8), which places the responsibility on the candidate to assess fair market values for donated or unpaid campaign materials. By inaccurately assessing the fair market value of the soccer ball, significantly undervaluing it, the candidate misrepresented the value of campaign materials used. This misrepresentation compromises transparency and fairness in campaign finance, as it potentially provides the candidate with an unfair advantage over competitors. Thus, these violations highlight the candidate's failure to fulfill their responsibility under the regulation to accurately assess fair market values, undermining the integrity of the election process.

V S.G.A.C. §601.6(7)(1)(9) - The relevant statute, requires candidates to accurately disclose the complete cost of each individual expense related to campaign materials suggesting support for their candidacy. This ensures transparency in campaign finance, preventing candidates from obscuring their true campaign spending. In the case of Cade Coppinger's campaign, the violation stems from the inaccurate assessment of the fair market value of a soccer ball used in a campaign video. Despite the ball's actual value being significantly higher than reported, Cade undervalued it in his expense report. This misrepresentation misled the Election Commission and potentially the voters, undermining the fairness and integrity of the election process. Moreover, the failure to properly assess the fair market value of the donated soccer ball violates campaign ethics, as candidates are required to expense such items accurately and adequately. The decision of the Election Commission not to classify this as a violation raises concerns regarding the

consistent application of election regulations. Intent is not grounds for defense under the regulations, emphasizing the importance of adhering to the rules regardless of intent. This violation highlights the need for thorough examination and rectification of improper assessments to uphold the integrity of future electoral processes. This statute also highlights that of the unexpensed speaker. By using the speaker to play music and also by making statements linking the enjoyment of the music to support for the candidate, the campaign team effectively turned the speaker into a tool for campaigning, thereby necessitating its inclusion as an expense in the candidate's report. The failure to do so compromises transparency in campaign finance, violating the regulation's intent to ensure accountability and fairness in the electoral process in regards to candidates finances.

Violation #25:

V S.G.A.C. §601.5(2)(e) - This regulation explicitly prevents campaigning, or soliciting votes, inside restricted areas such as the Memorial Student Center. Cade Coppinger has already received one major violation for failing to comply with this statute. The image and video shown in Violation #25 clearly demonstrates that the solicitation of votes is taking place with an individual inside the MSC by the distributing of a campaign flier. If an individual were to throw campaign flyers inside the MSC from the outside to another student, a reasonable student can conclude that the act of soliciting votes is taking place within the boundaries of the MSC. As such, a support of the Cade Coppinger campaign passing a campaign material to a student within the MSC, is itself an act of campaigning inside the restricted area of the Memorial Student Center.

DESIRED RESULT

- (1) A further desired result is that the Judicial Court issues an injunction halting the certification of the election results pending the outcome of this case.
- (2) A further desired result is that the Judicial Court undertakes a thorough review of the decisions made by the Texas A&M Student Government Association Election Commissioner to determine whether they were consistent with applicable election regulations and, if under the jurisdiction of the court, the principles of fairness. Specifically, the petitioner seeks clarification on whether the decisions made by the election commissioner upheld the standards outlined in Article VI, Section III, Subsection (a) of the Election Regulations, as well as other relevant provisions governing the conduct of elections at Texas A&M University in many other instances.
- (3) A further desired result is that the Judicial Court rectifies the incorrect rulings made by the Texas A&M SGA Election Commission regarding the aforementioned violations using the powers available to the Court. Specifically, urging the Court to review and reverse the decisions that failed to properly address major violations of election regulations, thereby ensuring accountability, consistency and upholding the integrity of the electoral process.
- (4) A further desired result is that, in the event that individuals are found to have violated election regulations or engaged in conduct detrimental to the fairness of the election, the petitioner urges the Court to impose the appropriate sanctions or penalties as outlined in the Election Regulations.
- (5) A further desired result is to seek to ensure that the electoral process at Texas A&M University is conducted in a manner that upholds the principles of fairness, transparency, impartiality and those of the Aggie Core Values. By addressing the identified violations and implementing appropriate corrective measures, this Judicial Court can safeguard the rights of all students to participate in a free and fair election.