

Election Complaint 60-001

Benjamin Rizk (Students Unite) v. For All Cougars

On February 14, 2024, at 11:10 p.m., Benjamin Rizk filed a complaint against the accused.

Complaint Filed:

Please list the EXACT CLAUSE(S) of the Election Code and if applicable, the exact University Policy, where the violation is alleged to have broken

Article 4: Campaigning, Section 3: Campaign Materials and Endorsements, Clause 7. [pg. 17] Parties and candidates shall not accept, post, or otherwise utilize endorsements from individuals or organizations who are not enrolled students at the University of Houston.

Please Describe the EXACT Details of the violation

Roughly around 4pm on Wednesday, February 14th, 2024, an Instagram post was uploaded on the forallcougars Instagram page (<https://www.instagram.com/forallcougars/>) which contains a picture of the likeness of Nick Madincea, the current student body president at Baylor University. There are graphics and text surrounding Mr. Madincea's face entitled ENDORSEMENT ALERT and his name positioned in bold text stating Nick Madncea and containing his formal position entitled Student Body President . Baylor University. In addition, the caption for the post states the following: 🌟ENDORSEMENT ALERT 🌟 We're proud to have the endorsement of Baylor's Student Body President @nickmadincea ! We're creating a campus that's gonna bring cheaper parking, better safety, and a UH that works for and with everyone, especially our Big 12 neighbors 😊. This post is in violation of the exact clause of the code I have attached, as the party and the candidates associated with the party very clearly ACCEPTED, POSTED, & UTILIZED an endorsement from an individual who is not an enrolled student at the University of Houston, in order to influence the outcome of the election. That explicitly is prohibited per the provisions set forth in the code.

Please attach any/all evidence showing there was a violation of the Election Code and/or University Policy. If the file exceeds the file size limit, please email sgaelect@uh.edu the remaining files, your name as found on this form, and the exact time you submitted this form. Any additional files being emailed, must be emailed within 2 hours of submitting this form to be taken into consideration. Please merge all documents into one file for this upload.

9:33

5G+



FORALLCOUGARS

Posts

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3 hours ago



forallcougars



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forallcougars 🇺🇸 ENDORSEMENT ALERT 🇺🇸

We're proud to have the endorsement of... more

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Statement of Defense:

None.

For All Cougars (the accused) admitted to having no defense, as they were not aware of the rule change. They claimed that, in previous years, campaigns were permitted to receive endorsements from non-enrolled students.

Judgement:

For receiving and promoting an endorsement from non-enrolled student(s), *For All Cougars* **violated** *Election Code. Article 4. Section 3. Clause 7.*

- Election Code. Article 4. Section 3. Clause 7.: Parties and candidates shall not accept, post, or otherwise utilize endorsements from individuals or organizations who are not enrolled students at the University of Houston.

For violating *Election Code. Article 4. Section 3. Clause 7.*, *For All Cougars* **received a Class C violation.**

- Election Code. Article 7. Section 2. Clause 11.: Class C violations include but are not limited to: pre-campaigning; failure to submit required campaign documents to the Election Commission; and/or failure to attend mandatory meetings.

However, **since this was their first violation**, *For All Cougars* **received a warning.**

- Election Code. Article 7. Section 2. Clause 16.: The penalty for a Class C violation is a written warning from the Attorney General at the first occurrence, and a temporary suspension of campaigning for every subsequent occurrence.

Reasoning:

“Class C violations include but are not limited to: pre-campaigning; failure to submit required campaign documents to the Election Commission; and/or failure to attend mandatory meetings” (Election Code. Article 7. Section 2. Clause 11.).

Class C violations are concerned with minor infractions related to campaigning.

While *For All Cougars*'s violation is concerned with prohibitions on campaigning, their violation was not egregious to the point where they intentionally interfered with other campaigns (a Class B violation).