The Judicial Council of the Associated Students, University of California, Davis
Majority Opinion of the Council
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BUTT et. al v. HACKER and QAYUM
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Decided: February 17, 2018

Judicial Council Chair RYAN GARDINER, Judicial Council Vice Chair DEVO LEICHTER,
Judicial Council Member SYDNEY HACK, Judicial Council Member ARIA AGHALARPOUR,
and Judicial Council Member JASON “J.J.” HSU deliver the majority opinion.

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This case deals with senatorial candidates Alisha Hacker and Mohammad Qayum’s
decision to leave the mandatory candidate workshop early, contrary to instructions by the
Elections Committee to attend the full duration of the workshop, and the Elections Committee’s
subsequent decision to issue one (1) violation point to each candidate for these actions. Bylaw
403(A)(a)(iv) clarifies responsibilities of candidates in regards to the mandatory workshop,
stating:

“No student may run for an elected office if they do not attend the mandatory candidate
workshop set by the Elections Committee. The Elections Committee Chair shall
automatically disqualify any candidate(s) that does not attend the workshop. If a
candidate arrives more than thirty (30) minutes late to the workshop, the Elections
Committee shall automatically assign the candidate one (1) violation point. The meeting
shall be recorded so that minutes will be available in the case that an appeal of
disqualification is filed.”

Upon review of the case, the Judicial Council has determined that the Bylaws do not
specify any penalties for leaving the mandatory candidate workshop early, and it is therefore left
to the discretion of the Elections Committee to apply penalties as they see fit, granted those
penalties are applied consistently. The bylaw in question does state that a single violation point will be assessed when candidates miss the first half hour of the workshop. Thus, the Elections Committee is justified in their decision to extend the spirit of the bylaw--one (1) violation point assessed for every half hour of the workshop missed--beyond the letter of the law in issuing each violation point.

Questions of bias brought forward during the hearing are irrelevant to this decision as the only matter in question was the explicit decision to assign one (1) violation point to the Respondents. Therefore, the decision to extend enforcement of this bylaw to candidates that depart early is at the sole discretion of the Elections Committee.

**Actionable Items**

*Let it be resolved, that the Judicial Council takes no issue with the decision made by the Elections Committee to issue one (1) violation point to Alisha Hacker and Mohammad Qayum; no further action is required.*

**OPINION RENDERED**

Aria Aghalarpour, Jason “J.J.” Hsu, Sydney Hack, Devo Leichter and Ryan Gardiner concurring.