

March 31st, 2022

Boston University Student Government Judicial Commission

Election Violation Ruling

Student Elections Commission v. BeYou



Justices:

Samantha Casas

Daniel Daponte

Declan Donahue

Ilana Keusch

Ethan Wong



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The Student Elections Commission (SEC) received a complaint from a member of the Alpha Delta Pi (ADPi) sorority on March 30th, 2022. The complaint expressed concern over a message posted in the ADPi group chat by BeYOU candidate for Executive Vice President Saahiti Achanta, also a member of ADPi, that announced that Saahiti would award points to members if they contacted her with evidence that they voted in the 2022 Student Government elections (Article 1 & 2).

The complainant did not feel comfortable continuing to pursue the complaint. Therefore, the SEC requested a hearing from the Justices of the Judicial Commission where the SEC would represent the complainant. In accordance with Article VIII, Section II, Clause 2, the Judicial Commission shall exercise original jurisdiction over cases for which the SEC requests a hearing.

In a 4-1 decision the Justices hold:

- I. BeYOU violated Article VI, Clause 5 of the 2022 Elections Rules
- II. BeYOU violated Article V, Clause 3 of the 2022 Elections Rules
- III. Pursuant to Article VIII, Section V, Clause 2, BeYOU will receive a strike for these violations

I. Concerning Election Rules Violations

i. Article VI, Clause 5

The SEC, in representing the complainant, primarily took issue with the fact that Ms. Achanta was offering a reward in exchange for proof of voting in the 2022 Student Government Elections. Article VI, Clause 5 of the Boston University Student Government 2022 Election Rules states “Any gifts given for a promised vote are prohibited.” In offering a point for Alpha Delta Pi members in exchange for proof of their participation in BU Student Government elections, Ms. Achanta and the BeYOU E-Board slate have violated this rule. Please reference [Article 2](#) for the full message showing Ms. Achanta offering points in exchange for votes. Given



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the fact that a point has inherent value for the members of Alpha Delta Pi, the Justices will consider the point provided to members as a gift. The only way to obtain this specific gift was to provide proof of the “promised vote” to Ms. Achanta. The Justices find that these points (gifts) were given for promised votes. Due to this finding, the Justices have found the BeYOU slate guilty of violating Article VI, Clause 5 of the Election Rules

ii. Article V, Clause 3

With regards to the specific semantic details in which the Justices deliberated upon, the focus was on the language used by Ms. Achanta in her message to her organization as well as the perceived understanding which her language provided, giving regard to the thoughts of other members of her organization as well as their own views. Article 2 shows that Ms. Achanta sent the following message to established members of her organization:

“As we are going through voting week i’d really again appreciate adpi’s support and rallying to get votes, so if you can send me confirmation you voted (or if you did then the screen that says you have already) then i’ll give you a point! I am begging you guys to vote and get your friend to vote — a lot of adpi girls are working on the campaign as well and we need your votes and support, thank you so much sorry for bugging lol”

Previous messages that have been sent by Ms. Achanta referring to the elections can be seen in Article 3 as stated “HI EVERYONE VOTING IS OPEN WOOOOO” as well as “pls vote and get ur friends to vote love you all” as two examples of other messages sent through this medium of communication.

The key identifying factor with regards to the content of this language revolves around whether it implies the following meanings:

- I. The language implies an encouragement to participate in the active Student Government Elections and to get others to exercise their right to vote as well.



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- II. The language implies an encouragement to participate in the active Student Government Elections, and a request for members of the organization to provide their explicit vote and support for their slate.
- III. The language implies a quid pro quo for a point gained within the organization if they used their right to vote or if they actively voted after reading that message. In order to attain this point, they would have to confirm that they indeed voted with Ms. Achanta in order to receive the point for voting.

This important distinction between these meanings emphasize whether or not Ms. Achanta's messages explicitly or implicitly implied to vote for their preferred slate (Ms. Achanta's slate) or purely as a reminder to vote. The complaint form was originally filed as a result of this message, with the complainant's interpretation of the message as an active quid pro quo as an incentive for members of this organization resulting from their decision to vote within the election for the BeYOU slate. Stated clearly by the complainant:

Though the VP candidate never specified which slate to vote for for the point to be obtained, her messaging made it clear that the point incentive was provided to support BeYOU. In a follow up message another member of the sorority responded to the VP Candidate's initial message with "Let's go BeYOU!!!" thus making it quite clear that this point system is encouraging voting for BeYOU specifically

As indicated by the complainant as well as other members, the understanding of this message by members within the chat indicated that there was a message that Ms. Achanta was trying to gather votes and support for BeYOU.

While Ms. Achanta's language does not explicitly state anything concerning her slate, the Justices took issue with specific wording that was utilized in this message. In particular, the following language as "— a lot of adpi girls are working on the campaign as well and we need your votes and support" was a major point of contention. In comparison to the previous messages stated in Article 3, this wording in particular emphasizes the necessity of the members' votes and



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support for a singular campaign, BeYOU, which after confirmation of the vote, will directly result in a point being rewarded within the organization.

The Justices have agreed that the evidence does provide an implicit suggestion to vote for the BeYOU slate, if not, a direct quid pro quo relationship between the act of voting for BeYOU and the point system within the organization. The messages provided in Article 3 show a clear message of encouraging individuals within the organization to engage in the student government elections. The messages shown in Article 2 make specific mention to her current work surrounding the slate as well as a benefit provided with their members voting and supporting, which shows a clear difference between the messages surrounding the encouragement of voting, and the implicit nod of recognition of a slate in which she and other members of the organization are actively on.

Given this noted difference between existing language usage, as well as the active interpretation of the wording presented in Article 2 by the Justices, it has been determined that the language included does provide a preponderance of evidence in which the manner and intent in which this message was sent was not purely as an encouragement of active electoral engagement, but rather a recommendation to provide a vote and support their fellow member by voting for BeYOU. Due to this finding, the Justices have found the BeYOU slate guilty of violating Article V, Clause 3 of the Election Rules.

II. Concerning the Integrity of the Elections

In determining whether this complaint warranted a strike, in addition to the aforementioned considerations of gifts and suggested votes, the Justices scrutinized how the incentive system used in another student organization affects students' choice to vote in the elections.

Participation in events of an independent student organization should not be tied to participation in BU Student Government elections. The Judicial Commission is given the purview to actively



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regulate how students interact with BU Student Government through the conduct of our members or candidates.

The Justices take issue with how Ms. Achanta characterized her message as simply encouraging voting. The original complaint contends that points “can be a deciding factor as to whether or not someone can attend scheduled social events like Date Party and Formal” (Article 2). Therefore, Ms. Achanta awarding points goes beyond encouraging voting, rather it makes fully being able to participate in another student organization unrelated to Student Government contingent upon participation in our elections. While Ms. Achanta brought up that many members of ADPi do not pursue points, the fact that point allotment is a discriminating factor in attending events such as ADPi’s Date Party and Formal means these points have an inherent value to some members of ADPi, and clearly only members participating in the point system would have a reason to follow up with evidence they voted. Ultimately, the strong incentive provided by the point system for point-seeking members of ADPi undermines the choice of those members to even vote in the first place.

III. Final Ruling

In consideration of all the evidence presented above, the Justices will be issuing a **strike to the BeYOU slate**.

Associate Justice Donahue Dissents:

On the allegation that BeYOU violated Article VI, Clause 5 of the 2022 E-Board and At-Large Election Rules, I dissent. In this clause, the word “promise” means that one party is giving the gift in exchange for a guarantee that the other party will vote. The vote, as the clause states, is a future guaranteed vote. Saahithi Achanta offered members of ADPi a reward for having voted, after the fact. This is shown in Article 2, where she says “if you can send me confirmation that you voted (or if you did the screen that says you have already) then [I’ll] give



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you a point.” Because of this distinction, I do not believe this rule applies to the actions of BeYOU. As such, I vote against a strike on this charge.

On the allegation that BeYOU violated Article V, Clause 3 of the 2022 E-Board and At-Large Election Rules, I dissent. This clause states that “suggesting a completed ballot is prohibited.” Despite solely asking for “confirmation that you voted” in the “ADPi Announcements” group chat, Saahithi Achanta later said that “a lot of adpi girls are working on the campaign as well and we need your votes and support,” as seen in Article 2. The end of her message, particularly, implies support for BeYOU. This implication is made clear by saying “we need your votes and support.” The use of the word “we” makes it clear she is a part of the slate, and that she would prefer the vote be for her slate. However, I do not believe this amounts to “suggesting a completed ballot” as she did not detail what the contents of the ballot should be to the potential voters. What Saahithi Achanta said at the end of that message is objectionable, but I am firm that it does not amount to the level of a strike. Strikes are the equivalent of $\frac{1}{3}$ of a disqualification, and in no way does this offense warrant that level of punishment.

On the allegation that BeYOU committed an “offense significant enough to have an impact on the outcome, integrity, or fairness of the election,” as stated in Article VIII, Section V, Clause 2 of the 2022 E-Board and At-Large Election Rules, I dissent. I do not believe the actions of Saahithi Achanta amount to the level which would warrant a strike. Despite leveraging points in ADPi towards increasing voter turnout, those points were distributed regardless of who the members voted for. It is disappointing that Ms. Achanta chose to make part of the experience in ADPi contingent on participation in Student Government elections, but an action I find disappointing does not warrant a strike. Strikes are serious punishments, and as stated earlier, equate to $\frac{1}{3}$ of a disqualification. It is regrettable that the circumstances of this hearing did not allow for the levying of an alternate punishment. However, it is clear that a strike was not the appropriate and proportional response for this action. I completely agree with the Justices that the actions of Ms. Saahithi Achanta are out of line, but dissent in their application of punishment.