



# The Campaign Violation Case & Rationale

Joanna Faith Williams V. Clayton.Hinton

Docket Number: E 051-0002

**Presiding:** Chairman Walt Grayson

**Hearing Date:** Monday March 18<sup>th</sup>, 2018

**Hearing Time:** 9:10 pm

**Hearing Location:** App Hall Room 085

1. Complainant Name: **Joanna Faith Williams** (*Recused self as a member of the E Court for the Duration of this case*).
2. The Date and Time the Complaint was Filed: **12:25 pm; March 19, 2018**
3. The Name of the Campaign that violated the rule(s): **Clayton. Hinton**
4. Cite Elections (Bylaws) that have allegedly violated (*please list each Bylaw violated separately*). Please list using Article and Section Numbers of the Bylaws:

**Article III, Section X, Number 1, Correspondence and Communication IV states:** "Campaign Staff and Candidates are prohibited to speaking to an Elections Court Member at any time during an election. Candidates and staff may contact the Elections Court Chair to inquire about Elections related concerns, practices, policies, and cases."

**Article III, Section X, Number 1, Candidates and Campaign Staff VI states:** "Candidates and Campaign staff shall comply with all Student Government Governing Documents, University Policy, the Code of Student Conduct, and Local, State, and Federal Law."

5. Explain the alleged offense:

On March 11th, Anderson Clayton commented on a status that I made that included photos and videos of part of my spring break (see "CH Exhibit A" & "CH Exhibit B" ). Anderson does not typically comment on my content, so when I noticed that she indeed did so this time, I was surprised. I reacted to and replied back to all who commented, except for Clayton. Anderson has had many opportunities to be made aware that I am an Elections Court official. From being nominated, approved, and watching me take the oath, all in senate meetings which she is present in, to watching me re-announce to Leadership Educators that I am taking on this role again, which Anderson Clayton is also present in as well; there have been numerous occasions in which she has been made aware of my role.

Because she commented on one of my posts that over 150 people also interacted with, it is reasonable to assume that the over 150 people who "liked" the post, had the opportunity to see



her comment. One video in the post has reach over 1.5K views, meaning potentially 1.5K people had the opportunity to see her comment on my post. It is then reasonable to assume that those who saw her comment, may believe that I am close friends with her, and potentially support her ticket, therefore misrepresenting me. As an Elections Court official, I am to remain as unbiased as possible and not support any ticket that has declared their candidacy. Because of my involvement on campus with my level of visibility and potential influence, this may also have some impact on the way that some students decide to vote.

By commenting on my post, she communicated with an Elections Court Official, therefore violating Article III, Section X, Number 1, Correspondence and Communication IV. By violating this statute, Anderson Clayton did not comply with the Elections Bylaws, which is a highly regarded Student Government Governing Document, therefore also violating Article III, Section X, Number 1, Candidates and Campaign Staff VI.

6. Witnesses: **Photo Evidence Submitted**
7. Counsel (According to the Elections Bylaws you may appoint a student, community member, etc. to argue on your behalf during the hearing. You must be present during all hearings regardless of appointed counsel). List the name(s) and email(s) of your counsel:

**Respondent** – Andrew Strahan and Amanda Lago

**Complainant** – No counsel present

**Form verified by Travis O'Shell on 3/19 at 12:44 pm**

**Exhibits A and B attached below.**

## Rationale: Joanna Faith Williams V. Clayton. Hinton Case 2 No. 051-0002

### Determination of Responsibility: In Violation

The Clayton Hinton Campaign was accused by Joanna Williams of violating Article III, Section X, Number 1, Correspondence and Communication IV and Article III, Section X, Number 1, Candidates and Campaign Staff VI.

The Clayton Hinton Campaign was asked to state if they were responsible or not responsible for violating these bylaws and **they specified that they were responsible for a violation** of Article III, Section X, Number 1, Correspondence and Communication IV and a violation of Article III, Section X, Number 1, Candidates and Campaign Staff VI.

Both the complainant and respondent were provided open statements, questioning, and closing statements. Since the Clayton Hinton Campaign took responsibility for the violations, the sanctioning hearing immediately commenced.

### Sanctioning Determination:



**Article III, Section X, Number 1, Correspondence and Communication IV.** Campaign Staff and Candidates are prohibited to speaking to an Elections Court Member at any time during an election. Candidates and staff may contact the Elections Court Chair to inquire about Elections related concerns, practices, policies, and cases.

**Rationale:** The Court determined that while a violation of the rules took place, the violation was not campaign related. The Court determined that the intent of this violation was not of malice and that the impact is difficult to determine based on the material facts provided by the complainant. The Court believes that the visibility of this violation is difficult to discern and there is no real determinable impact.

The Court also holds that the timing of the incident and the timing of the filing of the case indicate a potentially minor violation in the eyes of the complainant. The Court believes firmly that the comment was not campaign related and held little to no bearing on the outcome of the election.

**The Court has determined the following sanction is appropriate for the Clayton Hinton Campaign based on the aforementioned rationale:** *The deletion of the comment on the aforementioned post, and a verbal warning regarding the statutes in question.*

**Article III, Section X, Number 1, Candidates and Campaign Staff VI.** Candidates and Campaign staff shall comply with all Student Government Governing Documents, University Policy, the Code of Student Conduct, and Local, State, and Federal Law.

**Rationale:** The Court did not issue a sanction for this violation.

**For administrative purposes:** The Court issued a verbal warning. The E Board must ensure that the comment is deleted from the photos in question. No further administrative requirements.

Exhibit A.



**Joanna Faith Williams** added 7 photos and 4 videos.

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March 11 at 12:15pm · 🌐 ▼

This sweet man treated me to a private 3 hour dinner on the last night of our cruise with somewhere between 8-10 courses, Italian wine, delicious champagne, a kitchen tour, and entertainment at our table. Afterwards we went to the Duke's Piano Bar for a few hours and listened to **Martin Piano Man** who even let me sing a duet with him! Nic takes me on the best dates and spoils me every week with amazing food and the most incredible experiences ever since I finally let him take me on our first date last year, and this night is definitely one we'll always remember. Already looking forward to the next adventure with this one ❤️

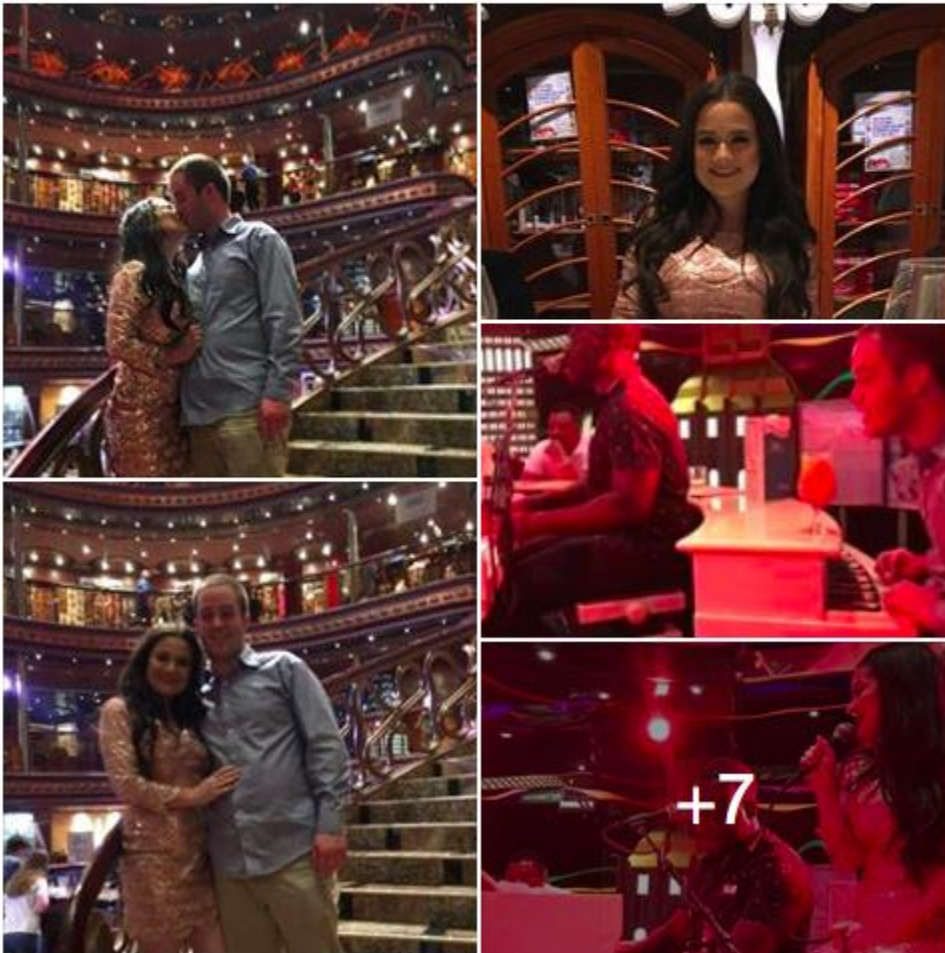


Exhibit B. Below



Like

Comment

Share

Aubrey Womack, Mikala Sharlow and 150 others



**Sara Vess** makes me soooo happy



Love · Reply · 1w

Joanna Faith Williams replied · 1 Reply



**Cynthia Austin Frazier** I am so happy for you. You only deserve the best. He's a lucky and blessed guy! Oh to be young again. Enjoy everyday and make beautiful memories.



Love · Reply · 1w

Joanna Faith Williams replied · 1 Reply



**Martha Sohmer Guilbault** Who is this....



Like · Reply · 1w



**Martha Sohmer Guilbault** Lol



Like · Reply · 1w



**Martha Sohmer Guilbault** I'm happy you're happy!!!!



Like · Reply · 1w

Joanna Faith Williams replied · 3 Replies



**Tiffany B. Ashton** How absolutely sweet! Love that you have someone treating you like the amazing lady you are



Like · Reply · 1w

Joanna Faith Williams replied · 1 Reply



**Anderson Clayton** Honestly you deserve Joanna!!!

Like · Reply · 1w