

ASUO: Court rules Elections Board 'overstepped its bounds'

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The second part sought to have the Primary Election results nullified based on the fact that the Elections Board did not forward election complaints to the Constitution Court and that the Miner/Unger campaign and the Progressive Slate put leaflets in the ASUO mailboxes.

The court found the Elections Board overstepped its bounds by dealing with election complaints, rather than forwarding them to the court. The court said a Hearings Officer may [court's empha-

sis] be appointed to hear complaints, otherwise the complaints should go directly to the court.

The court also decided candidates did not break Election Rule 6.2, which states, "campaign material may not be posted (affixed by any method) on, in or to any University building," because the ASUO Executive gave the candidates permission to place leaflets in the ASUO's mailboxes.

The third request, an injunction against the General Election, was issued by Justice Dave Coffman, then lifted on April 28.

The fourth request of relief, that the court look at election complaints, was accepted. The court plans to review all complaints to determine if measures taken "by the Elections Board against campaigns all candidates, winning or non-winning, to determine whether sanctions were inappropriate and in need of rescission," according to the opinion.

Justice Coffman dissented with the court on the second and third points of the Bostic/Kantrowitz opinion.

"These elections are stained

with a taint that cannot be rubbed off," Coffman wrote. This is because "the Executive took it upon themselves [sic] to become adjudicators of elections complaints, in clear violation of elections rules, the ASUO Constitution and without any rules of due process or administration.

"...Because of this, and because the court does not have ... the power necessary to correct this wrong retrospectively, I would hold the primary elections invalid, and call for new elections."

"These elections are stained with a taint that cannot be rubbed off."

Justice Dave Coffman
in his dissenting opinion

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