

DATE: 4/15/26

WKU JUDICIAL COUNCIL MINUTES

Written by Judicial Council

Revised by Chief Justice Stirling

Hearing for Marshall, Blankenship, & VanRude

Call to Order:

6:00PM

Attendance:

- ❖ Chief Justice Stirling
- ❖ Associate Justices Hash, Elms, Spiess, Gillespie
- ❖ Defendants Marshall, VanRude, Blankenship
- ❖ Andrew Rash - SGA Advisor
- ❖ MBV Campaign Team and advisor

Minutes:

- ❖ Opening Statement: Chief Justice Stirling
 - The Judicial Council, by and through its constitutional duty of the election, is acting as a neutral third party, bringing forth no preconceived notions.
 - The hearing procedure was explained thoroughly, and the order of events was explained.
 - Formal complaint brought on behalf of a student, choosing to be anonymous, on April 13th, 2026. The complaint detailed that members of the MBV campaign team were campaigning with fliers and t-shirts in the Commons on 4/13. This complaint stated that MBV violated the following Codes.
 - i. *3.13 - Polling places used for campaigning purposes shall be prohibited.*
 - ii. *3.13. - 1 A "Polling Place" is defined as any publicly accessible computer with an internet connection.*
 - iii. *3.6.8 - There shall be no posters in Cravens Library, Gary Ransdell Library, or the Commons*
 - Upon proactive investigation by the Chief Justice and Associate Chief Justice, video footage of the Commons on 4/13 confirms these allegations, hence why a hearing was called.
 - *Chief Justice Stirling plays video for defendants*
- ❖ Defendant MBV's Response:
 - i. MARSHALL:
 - Thanks Judicial Council for their willingness to work with them.

- MBV wanted to take JC’s advice after the hearing on Monday, so they made a list of *everyone* on their campaign team to keep track of everyone.
- Lots of people come up to their table, they may feel inclined to tell their friends about the campaign and distribute materials to share.
- Does not know who may have appeared in the video, they have given away shirts to some students, but that doesn’t mean they were on their campaign team.
- Understands how footage looks of someone in their shirt with their pamphlets handing out at a polling place.
- “Vehemently denies” that anyone on their team would do this unless it’s anyone on the list that he has provided.
- ii. BLANKENSHIP:
 - We’re going to be honest about who we have on our team and we whole heartedly believe that nobody on their team would have violated the Codes.
- iii. VAN RUDE:
 - Love that we’ve gotten to all be stressed out *together*.
 - Miles explicitly told people on the list that they cannot go in the library or in the Commons.

❖ Questioning/Response Period:

- Chief Justice Stirling asks if anyone on the MBV campaign team handed out shirts during the election week thus far.
 - i. Responded with no
- Associate Chief Justice Hash and Justice Elms request list of campaign team members and timestamps of when the list was created
 - i. Did not have timestamps, but provided the list.
- Chief Justice Stirling and ACJ Hash emphasize that the only precedent we have to follow is from *Lee, Rosenbaum, Willmes v. Cook* in Fall of 2025.
 - i. The majority opinion in this case states “Any and all campaign materials disbursed by the Candidate or his/her team act as an extension of the Candidate and therefore, the Candidate is 100% responsible for the campaign materials.”

❖ Verdict:

- In a unanimous 5-0 decision, the Judicial Council finds the defendants **guilty** of violating Codes 3.13 and 3.13.1 and **not guilty** of violating Code 3.6.8
 - i. **Majority Opinion:**

This matter arose from allegations that an individual campaigning on behalf of the MBV ticket engaged in electioneering conduct within a polling place during the course of the election. Section 3.13 of the 2026 Election Codes clearly prohibits the use of polling places for campaigning purposes. Section 3.13.1 defines a polling place as any publicly accessible computer with an internet connection. The evidence presented demonstrated that campaign advocacy occurred in such a location while voting was underway. Accordingly, the Council concludes that these provisions were violated.

However, the Council does not find a violation of Section 3.6.8. That provision specifically prohibits posters in designated campus buildings, including Cravens Library, Gary Ransdell Library, and the Commons. No persuasive evidence was presented showing the use or placement of posters as contemplated by the code. Because the conduct at issue involved in-person campaigning rather than prohibited physical signage, the defendants are not responsible under that section.

The Council next turns to responsibility and remedy. Prior precedent in *Lee, Rosenbaum, Willmes v. Cook* addressed campaign accountability, but the Council finds that decision insufficiently tailored to the present facts. The circumstances here involve actions taken by a campaign team member rather than direct misconduct by the ticket itself. To automatically impute every act of a regular student supporter to the candidates, without a clearer standard of agency or authorization, would be overly broad and inequitable. Therefore, to the extent *Lee v. Cook* suggests otherwise, its reasoning is narrowed and superseded by today's holding.

As a result, the Council declines to issue a second censure directly against the ticket. Instead, responsibility is properly placed upon the organized campaign apparatus acting on the ticket's behalf. Therefore, the Council orders the following:

1. **A formal Censure** is issued to the **MBV Campaign Team**.
2. The MBV Campaign Team is immediately disbanded.
3. The MBV ticket itself **shall not** receive a second censure in this matter.
4. From this date forward, any campaign violations or Election Code breaches committed by designated campaign team members may be attributable to the ticket they represent.
5. Judicial Council shall henceforth require all tickets to submit official campaign team rosters prior to the start of elections.

Let the record reflect that today's ruling distinguishes between candidate liability and campaign-team liability while establishing a clearer rule for future elections. The integrity of polling places must remain protected, and campaigns are now on notice that organized representatives acting on their behalf may subject the ticket itself to future sanction.

It is so ordered.

Adjournment:

6:58 PM