



ASUCI ELECTIONS COMMISSION

Under Art. X § 2 of the ASUCI Constitution, the Elections Commission “has all authority for ASUCI elections and related activities, and under this authority has the power:

(a) To plan and manage all ASUCI elections;

(c) To enforce all ASUCI candidate disclosure requirements;

(o) To investigate, on their own initiative, possibilities of electoral nonfeasance, misfeasance, and malfeasance, including any action that could affect the outcome of an election;

(p) To adjudicate electoral disputes, including allegations of Elections Code violations, subject to appeal to the Judicial Board;”

Ruling of the Elections Commission Regarding At-Large Senatorial Candidate Ethan Hatch

March 22, 2026

**RULING OF THE ELECTIONS COMMISSION REGARDING AT-LARGE SENATORIAL CANDIDATE
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Preface

On November 6, 2024, the Judicial Board released [*Opinion on Investigative Authority in Elections-Related Cases*](#), delineating the ASUCI Elections Commission’s procedural obligations into two broad categories — administrative and adjudicative. To quote the opinion:

Under its administrative capacity, the Elections Commission operates much like the Federal Elections Commission or its various analogues in the several states, making preliminary quasi-judicial decisions to enforce the elections procedures it has been charged to uphold and, if necessary, defending them in full courts of law.

The ASUCI Constitution presents us with a unique departure from this pattern, however, in that it delegates to the Elections Commission the position of a full judicial body. Whereas the aforementioned analogues to the Elections Commission may focus solely on their administrative capacities, outsourcing all judicial functions to distinct courts of law, the Elections Commission’s primary jurisdiction forces an ordering in such cases where these roles may contradict one another. (Bolek et al., 2024)

Following the revision of the ASUCI Elections Code on February 20, 2025, the Judicial Board added on March 15, 2025, that “[their] ruling in [*Opinion on Investigative Authority in Elections-Related Cases*] was found to remain in force” with the revisions.

In receiving a complaint alleging a violation of the Elections Code, the Elections Commission has determined that an adjudicative approach would be most appropriate for the circumstances at hand.

Synopsis

On March 15, 2026, the Elections Commission received a complaint against At-Large Senatorial Candidate Ethan Hatch alleging a violation of Art. X § A of the ASUCI Elections Code — “No campaigning shall be permitted prior to Monday of Spring Break at 9:00 am.” The Petitioner, Arnav Nigam contended the following:

- That Candidate Hatch violated the Elections Code by campaigning with an Instagram account with the username, “ethan4atlargesenator.”
- That Candidate Hatch violated the Elections Code by campaigning with a public Instagram account.
- That Candidate Hatch violated the Elections Code by campaigning with an Instagram account with a non-zero amount of followers.

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- That Candidate Hatch violated the Elections Code by campaigning with an Instagram account with a profile picture of the Candidate visible in it.

An Evidentiary Hearing for the Petitioner was called on **March 21, 2026**. The Respondent had failed to schedule an Evidentiary Hearing with the Elections Commission before their given deadline of one (1) day after the notification of a complaint was released to the Candidate through electronic communication. Following the Evidentiary Hearing, the Elections Commission convened to review the available evidence. After concluding deliberations, pursuant to the Elections Commission’s authorities as an adjudicative body, the following ruling is released.

Ruling

1. Did At-Large Senatorial Candidate Hatch violate Art. X § A of the ASUCI Elections Code operating an Instagram account with the username “ethan4atlargesenator,” such that it constitutes campaigning prior to the permitted period?

In Favor: GROVER, K.; LEE, A.; NOWAK, N.; SUH, K.; GARCIA, K.

Opposed:

Abstaining:

2. Did At-Large Senatorial Candidate Hatch’s use of a publicly accessible Instagram account amount to campaigning in violation of Art. X § A of the ASUCI Elections Code due to its availability before the permitted period?

In Favor:

Opposed: GROVER, K.; SUH, K.; LEE, A.; NOWAK, N.; GARCIA, K.

Abstaining:

3. Did At-Large Senatorial Candidate Hatch violate Art. X § A of the ASUCI Elections Code by campaigning with a non-zero amount of followers?

In Favor:

Opposed: GROVER, K.; SUH, K.; LEE, A.; NOWAK, N.; GARCIA, K.

Abstaining:

4. Did At-Large Senatorial Candidate Hatch violate Art. X § A of the ASUCI Elections Code by campaigning with an Instagram account with a profile picture of the Candidate visible in it?

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In Favor: SUH, K.; GARCIA, K.

Opposed: GROVER, K.; LEE, A.; NOWAK, N.

Abstaining:

5. Is a sanction an appropriate remedy for At-Large Senatorial Candidate Hatch's violation of the ASUCI Elections Code?

In Favor: NOWAK, N.; GROVER, K.; LEE, A.; SUH, K.; GARCIA, K.

Opposed:

Abstaining:

The Elections Commission has ruled in favor of Petitioner Nigam and found At-Large Senatorial Candidate Hatch in violation of Art. X § A of the Elections Commission. Accordingly, the Elections Commission has levied a Level I sanction – Mandatory Content Review– on their campaign, beginning Monday, March 23, 2026 at 2:00 PM and ending Thursday, March 26, 2026 at 5:00 PM.

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NOWAK, N. delivered the majority opinion of the Commission, with LEE, A. and GROVER, K. joining. GARCIA, K., SUH.K. concurred in part and dissented in part.

I

We begin with evaluating the Petitioner’s claim that ASUCI At-Large Senatorial Candidate Ethan Hatch campaigned whilst operating a public Instagram handle with the name of, “ethan4atlargesenator” before the commencement of the Campaigning Period, per the timeline as enumerated in the ASUCI Elections Code. When inquired about a definition of “campaigning” during their Evidentiary Hearing, the Petitioner established examples of certain actions constituted as “campaigning:”

- Publicity of Candidacy during the ASUCI Elections
- Presentation of Candidacy
- Making awareness of Candidacy

The second action of campaigning, as established by the Petitioner, “presentation” applies directly to the username’s intended purpose. Given that usernames on the Instagram social media platform are the primary way of identifying an account’s purpose, whether it be for personal or professional utilization, we find that Candidate Hatch intended on presenting the Instagram account as an official Candidacy page for their campaign. Furthermore, on the general page of the Instagram account, in the subsection right below the Instagram account’s official username is the Candidate’s full name as it appears on the official Elections website, elections.uci.edu, underneath the “ASUCI” tab, and then finally underneath the “At-Large Senate.” Additionally, the username of “ethan4[for]atlargesenator” signifies a call to action for an intended audience and attention to the campaign, thus constituting an act of campaigning. We, also, consider that “4” may be interpreted neutrally and simply: the individual’s candidacy for the position. But, although it does not explicitly advocate for a specific action from an intended audience with the username, the usage of “4” also interprets an affirmative aspect in that it suggests the support of the Candidate from the audience it intends to seek attention from. The Elections Commission finds that the Instagram account’s username in question directly corresponds to the official declaration of candidacy submitted by the Candidate as verified and displayed on the official Elections website and, furthermore, that it signifies a call to action directly to campaigning and elections related activities.

II

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We next evaluate the Petitioner’s claim that At-Large Senatorial Candidate Ethan Hatch’s use of a publicly accessible Instagram account, in and of itself, constituted impermissible campaigning prior to the commencement of the Campaigning Period, in violation of Art. X § A of the ASUCI Elections Code. At the outset, the Elections Commission emphasizes the importance of assessing each contention in isolation to ensure that liability is not improperly derived from cumulative inferences or unsubstantiated assumptions. Accordingly, the question before us is narrowly confined to whether the public nature of the account alone constitutes campaigning. The Commission finds that it does not. Public accessibility is a platform-level setting that determines visibility, not advocacy, and in isolation does not seek votes, promote a platform, or otherwise amount to direct campaign activity. Notably, prior to the account’s username being modified to reflect candidacy, the account remained public since the prior election cycle without issue. Thus, to now treat public status alone as sanctionable would create an inconsistent and untenable standard, whereby identical conduct is deemed permissible in one instance and violative in another.

It may be inferred that maintaining a public account may have been intended to project a large follower base and thereby implicitly promote the Candidate’s credibility. The Commission finds this argument speculative and unsupported by the evidentiary record. There exist numerous alternative explanations for maintaining a public account, including default platform settings or general personal preferences in social media usage. While the Commission acknowledges that, had there been evidence demonstrating that the Candidate intentionally maintained a public account for the purpose of establishing credibility, such conduct could constitute campaigning, no such evidence has been presented by the petitioner or identified by the Commission. Moreover, the account contained no posts, stories, or other content promoting Candidate Hatch’s at-large campaign during the relevant period. Thus, even if the account had been private, there would have been no material difference in the content available to the public. Accordingly, the Elections Commission holds that the use of a publicly accessible Instagram account, standing alone and evaluated solely on the basis of its public accessibility, does not constitute campaigning in violation of Art. X § A of the ASUCI Elections Code.

III

We find that while the Elections Commission took the amount of followers At-Large Senatorial Candidate Hatch possessed into consideration, it would not be defined as campaigning as aforementioned in Section II of this ruling. To restate, the Elections Commission must assess these contentions in isolation so that liability does not fall under false pretenses. The amount of followers one possesses should not be directly correlated to the relevance of their account rather the other aspects such as: their username, their biography, and their posted media.

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Notwithstanding the potential of an incidental increase in the candidate’s validity derived from a non-zero follower count, such metrics do not, per se, constitute the act of “campaigning.” The number of followers alone cannot determine an action of campaigning during an election. Follower count does not explicitly nor implicitly direct a call to action to an intended audience relevant to campaigning or election activity, such as voting or the promotion of a platform. The Elections Commission recognizes that a non-zero number does not directly correlate to campaigning, therefore we see that this aspect is not in violation of Art. X § A of the ASUCI Elections Code.

IV

We next evaluate the Petitioner’s contention of Candidate Hatch’s profile picture as campaigning, with the main reasoning including that Candidate Hatch remains visible and the focal point of the profile picture. We evaluate that the Candidate’s image and likeness displayed on the handle does not inherently correlate to advocacy of a campaign. The profile picture, observed in isolation, does not explicitly or implicitly display any signifiers of a platform, occurrence of an election, or promotions for election and campaign related actions, such as voting.

Additionally, at the point that the profile picture was uploaded to the Instagram account as well as observed by the Petitioner, the official Elections website, elections.uci.edu, displayed no photos, headshots, or other related digital media associated with any Candidates, Initiative Coordinators, Referendums, Constitutional Amendments, etc. From the commencement of the Filing Period, Week Eight (8) of Winter Quarter, to the commencement of the Campaigning Period, Monday of Spring Break, the sole information uploaded onto the website concerning Candidates, in specific, includes identified first and last names of the Candidates as well as the desired position each Candidate intends on running for. The Elections website remains the sole platform, resource, and method for officially conducting elections procedures, such as filing for candidacy and submitting required forms, and officially confirming identifying information, statements, etc. regarding Candidates and Initiative Coordinators. Essentially, we evaluate that, because the only information provided throughout the period that Candidate Hatch had the profile picture uploaded were Candidate names and their intended elected office, a picture of the Candidate could not have been verified or correlated with the profile picture officially. Furthermore, images accompany official Candidate statements published to the official Elections website. Images are not required or mandatory by the filing Candidate to officially declare Candidacy; it remains the filing Candidates’ decision to upload an image or not to supplement their declaration.

V

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In pursuing our adjudicative obligations as the Elections Commission, we find it necessary to sanction ASUCI At-Large Senatorial Candidate Ethan Hatch to fulfill our constitutional duty to “[c]onduct all ASUCI elections fairly, impartially, and with integrity, in ways that ensure students’ rights are protected” (ASUCI Constitution Art X. § 3(a)). It is incumbent upon us as the Elections Commission to uniformly apply the law to all Candidates, and indeed all undergraduate students in general. To decline to do so in this instance would not only violate our governing documents, but would fundamentally be a disservice to those Candidates who remain in strict compliance with our regulations.

Accordingly, we levy a Level 1 sanction – Mandatory Content Review – on ASUCI At-Large Senatorial Candidate Ethan Harch, beginning Monday, March 23, 2026 at 2:00 pm and ending Thursday, March 26, 2026 at 5:00 pm.

It is so ordered.