

COMPLAINT 58-006

Petitioner(s): Victoria White

Respondent(s): Nadiia Hutcherson

The following allegations were filed:

Title IX: Article 4, Section 6 and Title IX: Article 4, Section 8 of the University of Houston Student Government Association Bylaws

While Title IX: Code of Ethics, in the University of Houston Student Government Association's Bylaws holds our members to a standard of professionalism, Attorney General Hutcherson has publicly taken to social media to do the opposite. She herself has chastised unprofessional behavior from other members of the Student Government Association, yet evidently holds herself to a different standard. Attorney General Hutcherson submitted Complaint 58-05 to the Court for a judicial review, in which she accused members of disregarding the SGA Governing Documents and cited, most notably, Title IX: Code of Ethics. Attorney General Hutcherson alleges that the 58th administration violated Title IX: Article 4, Section 6 and Title IX: Article 4, Section 8 of the University of Houston Student Government Association Bylaws that reference representing SGA and UH in a dignified manner and maintaining a professional demeanor while acting in an official capacity, respectively. Therefore, it is not only hypocritical but also a gross violation of these same Bylaws that Attorney General Hutcherson took to her social media to publicly post a story directing profanity towards Student Government members and the organization. It is unbecoming and severely tarnishes the reputation of our organization, coming from a leader who platforms on impartiality and personal conduct. The Attorney General's leave of absence commenced on Tuesday November 2nd, so she was still acting in an official capacity at the time of posting on Monday November 1st. In the case that the Attorney General, or any other individual should argue that she was not acting in an official capacity, Title IX: Article 4, Section 6 is applicable regardless. While the Attorney General is on leave, perhaps she should evaluate what her motivations are for remaining in Student Government. In her post, she "most importantly" pointed out her disdain for our organization and doubled down on this by messaging the 58th UH SGA: Social "I said what I said and meant it with my chest".

A screenshot from Attorney General Hutcherson's instagram page was provided by the petitioner as evidence for this complaint. It will not be added due to the vulgarity of language in the post.

Due to the nature of the complaint, I reached out to the respondent and request she instead provide an apology:

I allowed my frustrations that have built up over the last month to cause a reaction that should not have occurred in such a boorish and uncouth manner. I fully understand that that was not the correct way to express those feelings, which I believe considering the circumstances are valid. While this is the first time this has happened for me, it has served as a great reminder that standards of professionalism are higher for me than my colleagues, who routinely have antagonized me and are even now holding a protest that is against me. My personal account has no affiliation to nor does it indicate that I am a member of SGA. I have nothing that directly connects me to this organization other than those two posts on my story. The majority of people who saw the story came after it was shared by someone in this organization as a means to justify their behavior towards me, and I'd like to point out I do not follow them and they do not follow me, as I had removed them previously back in September.

Despite this, I completely recognize my post was inappropriate, disrespectful, and frankly selfish. I take full responsibility for that action. I apologize sincerely to this organization and our advisors. This will not happen again.

Course of Investigation: I examined the Petitioner's evidence and reached out to the Respondent for a defense. I went through the Bylaws and identified if a violation was present.

Decision November 2, 2021, 3:30pm: Petitioner's complaint **HAS** merit, and this **IS** in violations of the Student Government Association Bylaws.

Sanction: The Attorney General is currently on a Leave of Absence that she requested on the 26th, she did not provide an end date to that leave, so I am stating she may return after December 1st.

Title IV: The Justice Department Article 1: The Attorney General and the Justice Department Section 1: Purpose Clause 1: The Department of Justice is responsible for enforcing the law, defending the interests of the Student Government Association, and ensuring the fair and impartial administration of the Constitution and Bylaws of the Student Government Association.

To be clear, this would be a matter outside of the DOJ and we do not infringe on student's Freedom of Speech, however, Ms. Hutcherson will at some point return to her role as Attorney General at the end of her absence, so she is still held to the same standard of UHSGA, therefore, a sanction was delivered on the basis of the fact that this was not appropriate behavior.

Conclusion: Although the post made by Ms. Hutcherson were not professional,, that night, November 1, 2021, there were false posts made by various SGA members regarding the Attorney General and the Judiciary Branch that could have contribute to her response that night. To my knowledge, there is now a protest regarding the Recall of President Darbin, in which Hutcherson conducted with the help of the advisors. Hutcherson was named explicitly in this post by former Senator Sanchez. I do not find any of this to be appropriate. Additionally, Hutcherson's leave of absence began at 5pm on 10/29. She was not acting in an official capacity at the time of the post in question, Ms White is incorrect in that assumption and should be more aware of facts before filing complaints going forward.

I encourage the student body go to the DOJ page and see for themselves why the Recall Elections was overturned and the part EVERYONE played in the judiciary decision prior to protesting. The Supreme Court received 20 pages of evidence to support the decision they made to the complaint that was filed.



Respectfully,

Tiffanie Gordon

Attorney General

This complaint will be shared and made public on SGA website for transparency and archival purposes.