

CUSA X elections

CHIEF RETURNING OFFICER RULING

Carleton University Students' Association General Elections 2026

Date of Ruling: February 17th, 2026

Ruling Code: 2026GE-ND-013

This public report is issued pursuant to Section 67(a) of the CUSA Electoral Code. It summarizes the outcome of a ruling made by the Chief Returning Officer (CRO) in relation to a review conducted during the Campaign Period of the 2026 CUSA General Election.

I. Authority

This Notice of Decision is issued pursuant to the authority of the Chief Returning Officer (CRO) under the CUSA Electoral Code, including but not limited to Sections 59, 63, 66, and Schedule IV.

II. Candidate

Maxwell Heroux

Presidential Candidate, 2026 CUSA General Election

III. Standard of Proof

Pursuant to Section 58 of the Electoral Code, the burden of proof for electoral offences is beyond a reasonable doubt.

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Major offences require proof of both actus reus (the prohibited act) and mens rea (the requisite intent or knowledge) beyond a reasonable doubt.

IV. Summary of Review

The Office of the Chief Returning Officer (CRO) received a complaint alleging that on February 5, 2026, at approximately 2:00 PM, two individuals campaigning in support of the Respondent were observed on the first floor of the MacOdrum Library:

- Approaching students for the purpose of promoting the Respondent's presidential campaign;
- Offering to assist electors with voting while ballots were open;
- Leaning over visible ballot screens;
- Pointing to ballot selections;
- Remaining beside electors until votes were submitted; and
- Dismissing concerns regarding interference with voting.

The MacOdrum Library is designated as a prohibited campaigning area under CRO-issued election guidelines.

The identity of the complainant remains confidential in accordance with Section 63 of the Electoral Code.

V. Findings

After reviewing:

- The complaint and follow-up correspondence;
The Respondent's written submission;
 - The Electoral Code and Schedule IV;
 - Campaign guidelines communicated at the All-Candidates Meeting;
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the CRO makes the following findings:

1. Campaigning in a Prohibited Area

Schedule IV s.1(g), Major Offence - 5 Demerit Points

The evidence establishes beyond a reasonable doubt that individuals actively promoting the Respondent's candidacy were campaigning inside the MacOdrum Library during the voting period.

Campaigning in university libraries is expressly prohibited under Schedule IV and CRO-issued guidelines.

The Respondent denied that any campaign team member engaged in such conduct. However:

- The Electoral Code defines a "campaign team" broadly under Section 1;
- Individuals who engage in campaigning under the reasonable foresight of a candidate are included within that definition;
- Responsibility attaches where campaigning is conducted in furtherance of a candidate's campaign.

The conduct occurred during voting hours and was materially beneficial to the Respondent's candidacy.

Finding: Breach established beyond a reasonable doubt.

Penalty: 5 demerit points.

2. Interference with Free and Fair Elections

Schedule IV s.1(a), Major Offence - 5 Demerit Points

Separate and distinct from the location violation, the complaint established that:

- Ballot screens were visible while campaigners leaned over electors;
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- Vote selections were directed;
- Campaigners remained present until ballots were submitted.

The CRO finds beyond a reasonable doubt that such conduct interferes with:

- Ballot secrecy,
- Elector independence,
- The integrity of the voting process.

The interference here is distinct from the mere fact of campaigning in a prohibited space. It relates specifically to conduct that compromises the free and independent exercise of the vote.

The Respondent's denial and reference to prior complaints does not negate the evidentiary findings in this complaint.

The conduct materially benefited the Respondent and directly engaged protected election interests.

Finding: Breach established beyond a reasonable doubt.

Penalty: 5 demerit points.

VI. Double Jeopardy Consideration

The CRO has considered Section 59 of the Electoral Code.

The two offences do not subsume one another:

- Campaigning in a prohibited area protects location neutrality;
- Interference with free and fair elections protects ballot integrity and voter autonomy.

Each offence contains distinct legal elements and protects separate interests.

Accordingly, double jeopardy is not engaged.



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VII. Penalties

10 Demerit Points

Pursuant to Section 71 of the Electoral Code, ten (10) demerit points constitutes the threshold for disqualification.

VIII. Appeal Rights

In accordance with Schedule IV, s.2, this decision will be automatically referred to the Appeals Committee for review.