Texas State University
Student Government
Supreme Court

Anonymous vs Jordan Williams
Complaint No: 06-103-821
Opinion No: 25-11
Dismissal of complaint

Complaint received – March 26th, 2025.

Chief Justice Muhammad Hanzala delivered the majority opinion for a unanimous court, in which Justices Nguyen, Downey, and Hernandez joined. Justice Karki did not take part in this decision.

This opinion is regarding a sensitive topic and alleged statements made by the defendant. Reader discretion is advised.

On March 26th, we received an anonymous complaint against Mr. Jordan Williams, alleging that the defendant had used the words "Jordan Hunter is a butt slut." The petitioner – who filed this complaint anonymously – alleged that this was a violation of the ethical standards as set in the code.

We received evidence of this alleged comment. However, we will not describe that evidence in this opinion, to preserve the anonymity of the petitioner.

We held the candidates for Student Government positions must abide by the same code of ethics that student government members do. Pg 57. Section III, Article I, S.G. Code of Ethics, S.G. Code of Laws states:

"All members of Student Government are bound to this document to act ethically and non-discriminatory to any person(s) on or off campus and not engage in any form of libel or slander based on race, sex, economic class, social standing, sexuality, or private affiliation upon their confirmation as a member."

To hold any candidate or member in violation of the Code of Ethics, a petitioner must submit evidence that the statements made by a defendant violate one of these provisions. They must be potentially based on *"race, sex, economic class, social standing, sexuality, or private affiliation"* for us to take the case up for a hearing. If they are not, then the Court has no authority or right to conduct a hearing and deem their statements libel or slander.

The statement presented to us in this case, "Jordan Hunter is a Butt slut" does not fall under slander based on *"race, sex, economic class, social standing, sexuality, or private affiliation."*

The evidence presented to us only has the words “butt slut.” The petitioner alleged that this was a homophobic statement. We disagree. The words “butt slut” are not enough for it to imply that it is indeed a homophobic statement. That would be a decision that is stereotyping against a certain group. People across sexual orientations partake in various sexual activities. We need more evidence than just “butt slut” to take up the complaint as a potential homophobic statement.

We do not take this decision lightly. We acknowledge that in many cases we use our implied powers and exercise judgement in unspecific situations. However, there are times that the court must refrain from using this power. Deciding between free speech and slander is one such time.

This does not mean that we condone the statement made here. Calling someone a “butt slut” is not consistent with the values that all of us, including the candidates, should represent. We must remember that we are the representatives of over 40,000 students of Texas State University. However, as bad as that statement maybe, the Court cannot start punishing statements just because we disagree with them. Candidates, and student government members, are free to use their right to free speech and express themselves as they see fit.

The 5 members of the court cannot exercise broad discretion on determining the fine line between free speech and slander. In fact, people who have received extensive training in this matter may be the only ones able to do so. Therefore, the court should not take up matters requiring that determination unless they are explicitly based on the categories set out in the code of laws. If the legislature intends us to do the opposite, then that must be passed as a law by the legislature. We will not intervene to make that determination unless the people – through legislation passed by their elected representatives – want us to tread this fine line.

We hold that a statement or an action must be based on race, sex, economic class, social standing, sexuality, or private affiliation for the Court to accept the complaint for a hearing. If it is not, then we have no jurisdiction to decide on the matter. We cannot provide a remedy for the petitioner.

There are other avenues they may seek to gain remedy. They can petition the Senate to take action against the defendant if they win their respective election or take this matter up to the office of Student Involvement and Engagement. However, the court has no power to decide on this matter.

Pg 46, Dismissal of Complaints, Article I, Chapter 101, of the S.G.E.C. states:

“The Supreme Court may only dismiss a complaint if:

(a) The complaint violates the statute of limitations.

(b) The complaint fails to state a cause of action for which relief may be granted.

(c) The complaint is deemed as being outside the board’s jurisdiction.

(d) The complaint is clearly not a violation of the Election Code, because the action is expressly permitted by the S.G.C. or previous Court rulings."

Making determination on speech outside those categories explicitly mentioned in the Code of Ethics is outside our jurisdiction. Pursuant to section (c), the complaint is dismissed.

It is so ordered…