Alleged Violation

Filed By: Supervisor of Elections

Against: The Torch Party

Date Violation was Heard: October 22, 2013

C. Powell delivers the opinion of the Elections Commission joined by L. Hebb, C. Hayes, I. Waldick, S. Loveless, and A. Norat.

The Supervisor of Elections filed a violation against the Torch Party for failure to get approval of campaign materials within 24 hours of intended distribution as required by Student Body Statutes section 714.1A.

Following are the facts: a Torch Party candidate sent out an email promoting himself as a candidate that contained a flier at the bottom promoting the Torch Party. The Office of Elections had not yet approved the flier when the email was first sent.

The Supervisor of Elections states that he became aware of the email when it was forwarded to him by other candidates and students who did not think it was proper for the Torch Party to send emails to the entirety of the FSU student body at large. However, the Supervisor is unable to show any proof that this email was in fact sent to the public before the campaign material had been approved. The copy of the email provided to the Elections Commission for inspection only shows that the email was sent from the Torch candidate’s email to the official Torch Party email account. The Supervisor was not able to provide further evidence that the email was distributed to the public prior to approval of the campaign material.

The representative of the Torch Party claims that he was not aware that the email had been sent to anyone other than the official Torch Party email address.

Though we find that failure to have the email approved prior to distribution would have constituted a violation of Student Body Statutes 714.1, we hold that there is insufficient evidence in this case to sustain a violation against the Torch Party for violation of the statute.

We hereby overrule the violation.