

Violation

Filed By: Tavares Thomas

Against: Ignite Party

Date Violation was Heard: February 12, 2015

W. Meloon delivers the opinion of the Commission joined by

Mr. Thomas has submitted to the Supervisor of a violation of the Ignite Party for posting a video publicizing the names of their candidates for Student Body President, Vice-President and Treasurer and violating statute 715.7 D. The Supervisor of Elections declined to prosecute the charge. Mr. Thomas appealed to this Commission.

Following are the facts: The Ignite Party posted a video on Facebook in which past Ignite student leaders talked about Ignites executive ticket and how they know them. At the end of the video Mr. Rosenthal, a former Ignite member, stated something to the effect of “bring out your friends to get ignited.” This video was originally shown at a GBM of the ignite party. However, it was later posted on Facebook.

We review this case de novo. At issue in this decision is whether the video was a campaign material as defined by section 714.1 J of the Election Code which states, “Calling the action to vote shall be defined as publicizing the name of likeness of any candidate, publicizing the place, time or manner of voting, or the use of the word of vote.”^[1] In the context of a general body meeting, showing this video and encouraging the viewers to bring people out to get ignited, connotes bringing them out to the next meeting. However, when posted on Facebook, saying that same phrase seems to imply to bring people out to support the Ignite Party and the executive ticket that they were just praising. Posting a video on Facebook, which is available to the public, is much different than showing a video at a meeting of an RSO and trying to get the attendees to bring their friends. As we decided in the Madeline ZTA wall case, publicizing support for a candidate is a violation of the Election Code.

In conclusion, we find that the facts presented before us show that the Ignite Party did indeed campaign through posting this video on Facebook.

We hereby **OVERTURN** the Supervisor of Elections decision to not prosecute the case and **AFFIRM** the violation submitted against the Ignite Party.

[1] There seems to be a clerical error with the statute and the term “name of likeness”, however here, I see it as name or likeness as that is what makes sense, and it is a likely mistake given the proximity of the “f” and “r” keys.