Combined Violations

Filed By: John Cameron Katz, Campaign Manager of the Ignite Party, on behalf of the individuals named.

Against: The Torch Party

Date Violations were Heard: October 6, 2013

C. Powell delivers the opinion of the Commission joined by L. Hebb, C. Hayes, I. Waldick, A. Norat, T. Thomas, and K. Palomino as an alternate.

Nine individual candidates, who are all members of the Ignite Party, bring violations against the Torch Party under Student Body Statutes section 715.7(A) for bring false or malicious charges against another candidate or party.

Pursuant to Student Body Statutes section 702.2(F)(7) and upon a motion to do so, the Commission voted to combine these nine violations. Considering that all nine individuals submitting violations are members of the Ignite party and that these individuals authorized their Campaign Manager to speak on their behalf, the Commission voted to allow the Campaign Manager of the Ignite Party to represent the nine individuals filing violations. However, the statutes do not support this action and though the Supervisor of Elections has advised us that there is precedent for such an action, we find it indicative of the frivolity of these violations that the individual members would not deem it necessary to present their claims to us personally, or at least be present for the proceeding.

Following are the facts: The Torch Party alleged in an appeal that eleven candidates may have attended one required meeting but did not attend both. Nine of these candidates are members of the Ignite Party and they now bring violations against the Torch Party pursuant to section 715.7(A) for bringing false or malicious charges against another candidate or party.

As an initial matter, the Commission does not interpret 710.2(G) as requiring candidates to attend both meetings in order to be eligible to run for election. Though the language of the statute is ambiguous, it is our interpretation that it is reasonable to read the statute as requiring attendance at only one of the required meetings. It is our understanding that the common practice is for candidates to only attend one of the required meetings, an understanding which is supported by the fact that the Torch Party itself only encouraged or required its candidates to attend one of the meetings.

However, the language of the statute is ambiguous and the Torch Party argues that a discussion of this fact was held at some point in time in the Office of the Supervisor of Elections, in the presence both of the Supervisor of Elections and Mr. Henmy of the Torch Party. It was with this conversation in mind that the Torch
Party filed the appeal alleging that the eleven named candidates did not attend both of the required meetings. Though that appeal is at best premature, the Commission holds that there is not sufficient evidence to sustain a violation of 715.7(A) by the Torch Party. Though the claims made by the Torch party were based on an incorrect premise, they are neither malicious nor false under the Party’s interpretation of the Student Body Statutes, however unreasonable it was for the Torch Party to adopt that interpretation.

We hereby do not sustain the violations.