

Filed By: The Legacy Society

Party Against Whom the Violation is Alleged: Ignite Party

Date Alleged Violation Heard: March 4, 2013

Alleged Violation: It is alleged that the Ignite Party violated the election statutes by filming a campaign video inside the library and also using the SGA logo within the campaign video.

Alleged Statute Violated: 711.1F which states: no campaigning shall occur within Robert Manning Strozier Library or within 25 feet of its doors and 715.7H which states: Using the SGA logo on campaign items is schedule 2 violation.

J. Agnew delivers the opinion of the Commission, and is joined by *J. Cannon, L. Ames* and *L. Hebb*.

In regards to statute 711.1F, the Commission determined that there was not a violation because the statute clearly states that there shall be no campaigning within Strozier Library and members of the Ignite Party were not actively campaigning within the library they were just shooting a portion of the video within the library where the individual on camera was making a general statement about the University not the election. Therefore violation **DENIED** as to 711.1F.

The Commission reviewed in detail the alleged violation of statute 715.7H filed by Legacy Society against Ignite for the use of the SGA logo in a campaign video filmed and promoted by members of the Ignite Party. Legacy Society argued that the video posted on YouTube, which urged students to vote for Ignite featured a SGA logo in violation of the election code. The Ignite Party argued that the SGA logo seen in the video was not the “official” SGA logo and therefore should not be a violation of 715.7H. In review of the facts the Commission found that the video was in fact a campaign video that called the action to vote by publicizing the name of likeness of three Ignite Party candidates while such candidates were standing directly in front of the main doors of the SGA offices underneath a SGA logo which was followed by the title “Florida State University Student Government Association.” During this particular section of the video the candidate who was speaking in the video accompanied by the other two candidates pronounced all three candidates names and stated: “under the leadership of Albanio Cavallaro and Rockhill III our University will be prouder, stronger, and better.” The video ended with a screen, which showed the Ignite Party logo and the words “vote Wednesday 27th sga.fsu.edu”.

Statute 715.7H states that using the SGA logo on campaign items is a schedule 2 violation. The statute does not specify that the SGA logo must be the “official” SGA logo. Upon review of the dispute it was brought to the Commission’s attention that the office of Student Government has had that particular sign with that particular SGA logo hanging over their door for several years. The logo in the sign shown in the Ignite Party

video was at one time the “official” SGA logo. It is clear due to the fact that the FSU Student Government Association has not removed the logo in question from above the entrance-way to their office that they are content with such a display as one of their “logos.” If an individual student wanted to familiarize themselves with the current SGA logo what better place to look then right in front of the main entrance to the SGA offices. Additionally, A reasonable FSU student viewing the sign in the video in front of the door to the SGA offices would assume that such a sign contained the SGA logo or represented SGA because such sign with the logo has been present in this public location for years. Even if this particular logo was never the “official” SGA logo it has still been repeatedly held out to the student body as such because of the duration of time and where it has been displayed.

The Ignite Party could have chosen any other location on campus to shot their video and the fact that they choose to film a portion of their campaign video right in front of a sign with the SGA logo so prominent and distinct can be perceived to be a strategic decision that sends a message to the voting student body that such candidates for the Ignite Party are supported by the current FSU Student Government. This type of misconception is one that the Commission believes that the legislature intended to avoid when they enacted statute 715.7H prohibiting SGA logo on campaign materials. Ultimately, the Commission reasoned that if the legislature intended that statute 715.7H only apply to the “official” SGA logo the statute would have specifically articulated “official SGA logo” in the text. From the history shown concerning the treatment of the “official” SGA logo it is not clear to a reasonable FSU student as to what the “official” SGA logo is. For all the aforementioned reasoned above the violation concerning statute 715.7H is **SUSTAINED**.