



## 75<sup>th</sup> Student Senate Judiciary Committee

February 14, 2023, at 6:00 PM | <https://fsu.zoom.us/j/99918927976>

**Call to Order:** 6:01 p.m.

**Members Present:** Senator(s) Folwell, McFarlane, Alvarez, Newsome, Casiple, Chair Kariher, Vice Chair Maglin

**Members Tardy:** None

**Members Absent:** Senators Brewer (excused), Crusey (excused), Garrison (excused)

**Guests:** President Diaz

**Land Acknowledgement:** The Student Government of Florida State University acknowledges that it is located on land that is the ancestral and traditional territory of the Apalachee Nation, the Miccosukee Tribe of Florida, the Muscogee Creek Nation, and the Seminole Tribe of Florida. We pay respect to their Elders past and present and extend that respect to their descendants and to all Indigenous people. We recognize this land remains scarred by the histories and ongoing legacies of settler colonial violence, dispossession, and removal. In spite of all this, and with tremendous resilience, these Indigenous Nations have remained deeply connected to this territory, to their families, to their communities, and to their cultural ways of life. We recognize the ongoing relationships of care that these Indigenous Nations maintain with this land and extend our gratitude as we live and work as humble and respectful guests upon their territory. We encourage all to learn about and educate others on the contemporary work of the Indigenous Nations whose land we are on and to endeavor to support Indigenous sovereignty in all the ways that we can.

### **Announcements:**

- Chair Kariher: **ZOOM RECORDING CUT OFF**
- Vice Chair Maglin: **ZOOM RECORDING CUT OFF**

### **Committee Business:**

- **Bill 17 - Senators Folwell, Duchêne (P) Anandjiwala, Boisvert, Carter, Chehaitli, Dale, LoBianco, Maglin, McEntyre, McMahan, St. Hilaire (Co):** This bill makes the willful misrepresentation of oneself in an official capacity as a representative or potential representative of the Student Government Association a violation of the SGA Code of Ethics.
- **Impeachment Hearing – Senator Bozeman**

### **Old Business:**

- None

### **New Business:**

- **Bill #17 - Sponsored by Senators Folwell, Duchêne (P) Anandjiwala, Boisvert, Carter, Chehaitli, Dale, LoBianco, Maglin, McEntyre, McMahon, St. Hilaire (Co)**
  - Opening Statement:
    - Folwell (P): **PART OF OPENING CUT OFF BY ZOOM RECORDING.** I think this is pretty straightforward. So, you know, me and Pro-Tempore DuChêne worked on the language a little bit and we got it to here. I think we have a good lineup of cosponsors, so I'll take any questions you guys have.
  - General Questioning:
    - Senator Casiple: Yeah, so I'm currently looking over the statutes of it right now. Does this add another standard? Let's say someone does lie under their office and they do XYZ, this basically gives us a reason to impeach or have another hearing? Or do you have any plans to increase how that process goes?
      - Folwell (P): I think I understand your question, so I'll answer it to the best of my ability. I'm going to speak anecdotally here, so hopefully that covers the scenario you're asking for. If somebody in their confirmation hearing says, "I want to give every member of the student body a pony and I intend to do so in this position" and we say, "that's great, that's something we would love from someone in this office". So, we confirm them and we find out a month later that they never intended to do that and we can prove it. Say there's an email from them to one of their friends and it says, "I'm going to say in my confirmation hearing that I'm going to give everyone free ponies because that will get me confirmed, but I don't intend to do that". If something like that comes out, they could then be impeached for lying about what they wanted to do. This can't go as far as to presume lying. We can't say "we think" that you weren't going to do this if there's no proof. Or if you said, "I want to make this organization more effective" and you just fail, you aren't in violation of this. If we cannot prove that there is actual intent behind it, that doesn't change. I used vague—and admittedly kind of silly scenarios there to kind of detach this from real-world scenarios. This is a standard-level thing and I don't want it to be conflated with situations. I think that was kind of what you were asking.
    - Senator Casiple: Yeah, that did touch on my question. My other question is: basically, let's say when someone is accused of lying, the one to judge would be the Supreme Court, correct? And they would be the ones deciding that? Who's responsible in determining that?
      - Folwell (P): Yeah, there's part of the Code of Ethics that discusses this-
      - Chair Kariher **POC**: I can do a quick Point of Clarification. If there is an alleged violation of statutes, you can submit that violation to the Rules Committee and then they can decide to forward for impeachment. But for any violation of statutes, Judiciary Committee can file for impeachment, or any individual senator can file for impeachment. So that would be the Senate-action. If they went through the impeachment process—through Judiciary and then the Senate floor—they would go to the Supreme Court who would decide to remove them.



- Chair Kariher: Yes, that's correct. The vote would be to either impeach or unsuspend, so "yes" for forwarding the senator for impeachment and then "no" to unsuspend.
- Senator Folwell: Yeah, it's hard to make a case in favor of the Senator-in-Question, when frankly I wasn't even aware that since Fall Inauguration, they have had seven opportunities to be absent. To me, that indicates being absent from everything that it possible to be absent from, without a chance to prove oneself beforehand. While I think they would have been a fantastic senator, I cannot really in good faith allow them to continue to occupy a seat that I know is in a very competitive College and has a lot of people who would like to fill it. Therefore, I will likely be—unless someone makes a very strong case otherwise—I will likely be voting to move them forward to the Senate for impeachment.
- Vice Chair Maglin: Yeah, I'm going to have to agree with the sentiments of the previous senator. I think that the fact that Senator Bozeman is not here for his own hearing is enough for me to forward the Senator for impeachment. I think that if the Senator wanted to make a case for himself, he would have shown up and argued for any circumstances or commitments that they had that prohibited them from coming to seven Senate sessions. So, yeah, I'm likely going to move to forward for impeachment.
- Senator Folwell **POI** to Chair Kariher: Because this was signed the 6<sup>th</sup> day of February of this year, is it a reasonable assumption that they have actually had two additional unexcused absences—from their committee and Senate respectively?
  - Chair Kariher: I'll direct that towards President Diaz. Has Senator Bozeman missed this past week too?
  - President Diaz: He wasn't at the most recent Senate meeting, I don't know what committee he's in, but I would be pretty shocked if he made it to committee. I don't remember him at the last meeting.
- Senator Alvarez **POI** to Chair Kariher: Did he ever respond to the email that you sent him?
  - Chair Kariher: No, he did not. I'll tell you what typically happens: Rules votes to forwards the senator for impeachment, then we email and text them asking them to resign so we don't have to go through the whole process, and they usually just resign. But he has not been responsive to any of the senators who have reached out to him. That's why we're going through this process.

**Senator Folwell moves to call the question on Impeachment, Senator Alvarez seconds**

- Vote:
  - Yes: 6, Senator(s) Newsome, McFarlane, Alvarez, Casiple, Folwell, Vice Chair Maglin
  - No: 0
  - Abstain: 0
- **RESULT: Bozeman is Forwarded for Impeachment**

**Unfinished Business:**

- None

**Closing Announcements:**

- Chair Kariher: So the next step that happens for any of you guys here is that we will hear them on the floor either tomorrow or the next week. And then, they get sent to the Supreme Court and one senator will be a "Special Prosecutor", so if any of you are interested in representing the Senate in the Supreme Court, there will be a majority vote. It has to be a member of the Judiciary Committee. I'm not going to be there tomorrow because I'll be out of town. I'll miss you all at Senate, but I'm excited to hear what happens. Happy Valentine's Day!
- Vice Chair Maglin: Excited to see everyone tomorrow and Happy Valentine's Day!

**Next Meeting:** February 21, 2023, at 6:00 PM.

**Adjourned:** 6:31 p.m.

A handwritten signature in black ink that reads "Cole Kariher". The signature is written in a cursive, flowing style.

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**Signature of Chair Kariher**