

Per Curium

The opinion of the Commission,

### Spring 2018 Violations 3: Taylor Ney v. The Unite Party

Taylor Ney, Campaign Director for Independent candidates John Walker and Randy Ornstein, brings allegations of one (1) violation of the campaign rules and procedures as outlined in Chapter 700 of the Florida State University Student Body Statutes (SBS) against The Unite Party. Specifically, Mr. Ney alleges one violation of SBS section 715.7(I), “Utilizing any Student Government equipment, resources, or for endorsement or support for or against any candidate, platform, political party, or ballot item.”

After reviewing the facts, hearing the testimony of both parties and analysis of the statute, the Elections Commission finds that the Unite Party did not violate section 715.7(I).

The claimant submitted two photos as evidence. Both photos showed two individuals sitting at the SOAR Board table at Market Wednesday, wearing what appear to be Unite Party pins. No witnesses testified on behalf of the claimant at the hearing. The Commission finds that the claimant failed to establish that the Unite Party had knowledge that these two individuals were wearing these pins, much less handed out these pins or encouraged SOAR Board members to wear these pins. Claimant alleged that the Unite Party should have been aware of who was promoting their party by nature of the Unite Party also tabling at Market Wednesday; however, the Commission finds this to be an unrealistic standard and declines to place this responsibility on a party. Further, the Commission remains unconvinced that SOAR Board is considered as “Student Government equipment or resources” for purposes of the statute.