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## **DECISIONAL MEMORANDUM**

Date: 3/28/2019

Re: Elections Committee v. BecomingTU

### **ISSUES**

- Whether BecomingTU's documentation of their candidate, serving in their role as a current member of TSG in a TSG space, violates the Elections Code.

### **I. STATEMENT OF FACTS**

On March 25, 2019, Kaya Jones was speaking at TSG's Townhall, where Aurora Budson, who is a current member of their campaign team, posted a picture of Kaya Jones to Instagram. In the Instagram post, BecomingTU's account was mentioned as well as tagged. Candidates and Campaign members are restricted from using TSG spaces for any campaign activity. EC IV. iii. iv.

### **II. CONSTITUTIONAL ANALYSIS**

#### **A.**

According to the Temple Student Government Constitution, the Elections Commissioner shall “[m]aintain[...], interpret[...], and enforc[e] the Elections Code in all Temple Student Government elections” TSG V. ii. ii. iii. iii. Temple Student Government's Elections Code further states, “For all matters related to the elections for which there are no established provision within the Temple Student Government Constitution, Bylaws or supplementary elections materials, the Elections Commissioner shall have the authority to establish and maintain those provisions necessary to ensure a fair, honest and efficient elections” EC IV. iii. iv. As the Elections Commissioner and drafter of the Elections Code, it is my obligation to ensure that each campaign team is in compliance with the Elections Code. Furthermore, it is my duty to ensure that actions are taken when violations occur.

B.

TSG's Elections Code states "*Campaign Members are restricted from using the Temple Student Government office for any campaigning activity, including but not limited to promotion of Candidates or Campaigns including: distribution of materials, wearing of t-shirts, buttons, pins, wristbands, etc., and word of mouth*" EC II. i. i. For the purposes of this present decision the relevant portion of Elections Code is above, but more specifically the question at hand rests upon the definition of the term, "promotion of Candidates or Campaign." Of course, following the term, there's a partial definition. As the drafter of this Code I know that this list is not exhaustive. Obviously, the term "promote" shouldn't be understood as having such a reductive meaning so as to make one believe that the list above is all-encompassing. In the present case BecomingTU used their social media to document Kaya Jones's participation in the Townhall. It is my interpretation and thus, the mandate of the Elections Code, that use of Social Media shall be construed as a type of promotion. For this reason, BecomingTU's use of Instagram to document Kaya Jones's participation in the Townhall acted in violation of the Elections Code.

**III. CONCLUSION**

For the foregoing reasons, The Elections Committee finds that BecomingTU acted in violation of the Elections Code. As stated in Section 501.3 of the Elections Code, since this is BecomingTU's first offense, they're served a warning.



Rofiat Oseni, *Elections Commissioner*