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DECISIONAL MEMORANDUM

Date: 4/3/2019

Re: Elections Committee v. RiseTU

ISSUES

- Whether RiseTU's promotion of their candidate in an official Parliament group chat violates the Elections Code.

I. STATEMENT OF FACTS

On April 2, 2019, Kenya Overton, a current member of RiseTU's campaign team, promoted RiseTU in an official TSG Parliament chat. 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 action is 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” Elections Committee v. BecomingTU, DM. In the present case RiseTU used an official TSG Parliament chat to promote their campaign. The TSG parliament chat is an extension of the TSG office. I have come to this conclusion because the groupchat was started by the parliamentarian for the purpose of conducting official parliament business. Further, “[i]t is my interpretation and thus, the mandate of the Elections Code, that use of word shall be construed as a type of promotion. For this reason,” RiseTU's use of the official TSG parliament chat was a violation of the Election Code Elections Committee v. BecomingTU, DM.

III. CONCLUSION

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



Rofiat Oseni, *Elections Commissioner*