# THE STUDENT BODY SUPREME COURT OF INDIANA UNIVERSITY

Re: Request for review of IUSG Election Commission Election Violation Decision

## Re: SBSC-2023-02 (2023)

*GRANT OF REQUEST FOR REVIEW TO GRIFFIN*

*Chief Justice Larry McDowell III delivered the order of the Court.*

Through careful consideration of the case and evidence supplied in the request, the court feels the standard for review has been met.

**The petition for EC decision review is granted.**

This petition for *review* is **GRANTED**.
*It is so ordered.*
*Associate Justices Leyla Fern King, Kain Eller, and Cashmere Booker join in this decision.*

Below you will find the request for review document and applicable evidence:

I. QUESTION PRESENTED

Petitioner requests that the Court review certain actions by the Respondent. In this petition, the petitioner asks:

(1) *Whether Responded violated (R.B. § 3-3-1(a)(e)) by the IGNITE Ticket for IUSG*

(2) *Whether Responded violated R.B.§ 3-4-9 (Section 9 (a)) by the IGNITE Ticket for IUSG*

(3) *Whether Responded violated* R.B. § 3-8-1 (Section 6) Voters Interference (two counts) by the IGNITE Ticket for IUSG

(4) *Whether Responded violated* R.B. § 3-8-1 (Section 5) Voters Interference (two counts)

by the IGNITE Ticket for IUSG

(5) *Whether Responded violated* R.B. § 3-8-1 (Section 1) Voters Interference by the IGNITE Ticket for IUSG

II. JURISDICTIONAL STATEMENT

In the IUSG Bylaws states that candidates have the right to appeal the decision of the election commission to the Supreme Court of IUSG.

III. STANDING

*As student leaders and Presidential Candidates in the recent Indiana University Student Government (IUSG), We have witnessed a number of instances that according to the Bylaws and Election Guide for the IUSG election are deemed as election violations. With appealing the decision of the election commission we hope that the court will review these complaints and the information submitted along with the complaints. As a result, we hope for the court to hold IUSG Presidential Tickets accountable for violations that they may have committed under the Constitution and Bylaws. We believe that the election commission may not have had a clear understanding of the complaints and how by explanation and definition are violations of election rules created by IUSG.*

IV. STATEMENT OF THE CASE

**(R.B. § 3-3-1(a)(e)).**

Based on (R.B. § 3-3-4; R.B. § 3-8-8). "Campaigning" is defined as the "public-facing promotion of a particular candidate or ticket" (R.B. § 3-3-1(a)(e)). The Ignite campaign (Vice Presidential Candidate, Marsha Koda) Shared in a GroupMe group chat to "support IGNITE" before the official campaigning period had started and after they met their signatures requirement. The bylaws state that you can only campaign for "absolutely necessary" things such as recruitment for campaigns or signatures. It is stated clearly as "Candidates are prohibited from campaigning before the filing deadline except for actions that are "absolutely necessary" to recruit campaign staff, collect the necessary petition signatures, or raise campaign funds." This violation took place on February 14th, 2023.

**R.B. § 3-4-9 (Section 9 (a)).**

Marsha Koda of the Ignite Ticket and campaign members were tabling at the IMU on Monday, February 27th, 2023. The first violation is that the Ignite ticket was set up to table at a table that was only approved and assigned to the D.A.R.E. Ticket. This was not only a university violation **R.B. § 3-4-9 (Section 9 (a))** but it also prevented D.A.R.E. from starting tabling at the approved

time (11:00am-3:30pm) Upon asking Ignite about this issue, they claimed to be approved for tabling from 11:00am-3:30pm. Upon talking to Kayla (Directors office at IMU), who is in charge of IMU tabling she informed me that the Ignite ticket was not approved for tabling and the D.A.R.E. Ticket was the only ticket approved to table on February 27th at the IMU.

**R.B. § 3-8-1 (Section 6) Voters Interference R.B. § 3-8-1 (Section 6) Voters Interference**

During tabling at the Arboretum (10th and Fee Lane) the D.A.R.E. Ticket witnessed Voter Interference from the Ignite Ticket. Members of the Ignite ticket would come over to the D.A.R.E. to harass voters by telling people to voters to not vote D.A.R.E. and to vote for the Ignite Ticket. In one instance, after being told by a voter that they are voting D.A.R.E., a campaign member that was tabling for the Ignite Ticket (Name: Nana) came back to the D.A.R.E. tabling area to influence the voter to vote for Ignite. The voter then said, "Dude, I



already told you I am voting D.A.R.E., and while the voter was casting his vote the campaign member from Ignite (Nana) continued to try to influence the voter to vote in favor of Ignite. This is a clear violation of **R.B. § 3-8-1 (Section 6) Voters Interference** which outlines "harasses a voter for the purpose of influencing their vote while the voter is in the immediate act of voting;" is a violation of the election rules. (We have obtained a personal statement from this voter).

**R.B. § 3-8-1 (Section 1) Voters Interference R.B. § 3-8-1 (Section 5) Voters Interference R.B. § 3-8-1 (Section 6) Voters Interference**

During an event (Period Poverty) on Wednesday, March 8th hosted by the African Students Association and African Women's Leadership Organization a member of the Ignite tickets campaign team by the name of Abigail Bamidele harassed and intimidated a voter who wore an "I Voted D.A.R.E. for IUSG" sticker. As the voter entered the event Abigail said "I have a problem with that" referring to the sticker that signified the voter's support for the D.A.R.E. ticket. After this Abigail engaged in a debate where she told the voter why they should not support D.A.R.E. and attempted to influence the voter to support Ignite. During this debate, Abigail mentioned things such as Ignite would be better at supporting women because they have a ticket made up of two women and "only women know the feeling", D.A.R.E. is making promises to the student body that they can not keep, and D.A.R.E. is not student facing but Ignite is. This debate grabbed the attention of most of the event attendees, who are all eligible voters. We have obtained a personal statement from this voter where it outlines how they were intimidated and harassed in efforts to influence their vote. According to sections **1, 5,** and **6** of article **R.B. § 3-8-1 Voters Interference** of the IUSG Bylaws, it outlines that "prevents a voter from casting a vote in any IUSG election or from casting it for the candidate of their choice, or attempts to; (5) intimidates a voter or potential voter for the purpose of influencing that voter's

vote, or attempts to; (6) harasses a voter for the purpose of influencing their vote while the voter is in the immediate act of voting;" are all factors of voter interference.

V. SUMMARY OF ARGUMENT

With appealing the decision of the election commission we hope that the court will review these complaints and the information submitted along with the complaints. As a result, we hope for the court to hold IUSG Presidential Tickets accountable for violations that they may have committed under the Constitution and Bylaws. We believe that the election commission may not have had a clear understanding of the complaints and how by explanation and definition they are violations of election rules created by IUSG. The bylaws state that university rules should not be broken and voters should not feel harassed, pressured into voting, or have their votes influenced and we hope that by appealing the election commission's decision we can bring accountability to these situations.

VI. OPTIONAL: SPECIAL RELIEF SOUGHT

Seeking to appeal the election commission's decision of election violations and

complaints.