

Opinion of the Court

UNIVERSITY OF MIAMI  
STUDENT GOVERNMENT SUPREME COURT

ALLEGED VIOLATION OF ELECTION CODES BY SWITCH UP UM

ASSOCIATE JUSTICE VIGNESH SELVARAJ delivered this opinion of the court

On February 8<sup>th</sup>, 2019, an elections code violation – request for review form was filed online by Dana Franco, to the Elections Commission, stating that the candidate had violated section 5.2, clause 24 of the elections code. The elections commission found probable cause in the complaint and forwarded the complaint to the chief justice of the supreme court. In accordance with section 6-1.2 of the Elections Code, a meeting was scheduled within the supreme court to determine if a potential violation had indeed occurred. However, during the review of the complaint, the court decided to dismiss Dana Franco’s request to review.

The complaint outlined that The Switch Up UM had potentially violated Election Code Section 5-24 which reads “Any graphic material that is negative or slanderous in content, as deemed by the Elections Commission, is strictly prohibited”. The evidence submitted was a screenshot of a snapchat story post made by Cachay Byrd, who is the campaign manager of The Switch Up team. It blacked out the main section of the original Facebook post and was captioned “since y’all want to play with fire... How about STOLEN, REPEATED, EXCESSIVE initiatives that anyone on this campus with grit and determination can achieve. Please stop trying to make this a ‘we can get things done and you can’t ‘ordeal. Administration is not hidden, they are in plain sight”. The court reviewed the screenshot and deemed that the caption did not target Empower U specifically. The court also noted that the caption was not slanderous or negative in nature as it did not make false statements or disparaging remarks about Empower U.

For the aforementioned reasons, the Court did not find Cachay Byrd in violation of Section 5-24 of the election codes and hereby dismisses Dana Franco’s complaint.