

## Opinion of the Court

### UNIVERSITY OF MIAMI STUDENT GOVERNMENT SUPREME COURT

#### VIOLATION OF ELECTION CODE BY THE SWITCH UP UM

ASSOCIATE JUSTICE ANTHONY HOFFMAN delivered this opinion of the court.

On February 19, 2019, Keegan Gibson submitted a Request for Review form to the Elections Commission alleging that the executive ticket The Switch Up UM (TSU) violated Section 5-2.3 Clause 1 of the Elections Code. The Elections Commission found probable cause in the allegation and forwarded the request to the Supreme Court. A hearing was held on the evening of February 20, 2019, to decide the case. After reviewing the evidence and hearing the arguments, the Court found no violation and therefore awarded zero points to The Switch Up's ticket.

Section 5-2.3 Clause 1 of the Elections Code reads that "All campaigning in the Residential Colleges and University Village must be approved by the Area Director as well as the Chair of the Elections Commission. A candidate may actively solicit votes only in a designated area. This area is at the discretion of the Area Director and the Chair of the Elections Commission. These designated areas may change at the time of polling." TSU introduced the email sent to presidential candidate Dewayne Washington by the manager of Stanford Residential College explicitly barring them from campaigning inside of Stanford. Evidence IMG 1 clearly shows members of The Switch Up UM campaigning outside of Stanford in front of the gliders in front of the building. Under oath, presidential candidate Dewayne Washington confirmed that the members never entered the Stanford building.

Original evidence filed with the violation included a screenshot of the response from Mike Piacentino to the Empower U ticket. He told Empower U that campaigning inside or near the residential colleges was prohibited. Piacentino's response to TSU only prohibited campaigning inside the building. In addition, when they asked the Election Commissions Chair what the protocol was, he said to check the Election Codes. According to Section 5-2.3 Clause 1, only campaigning inside is prohibited. Therefore, TSU did not violate the code, manager's request, or Election Commission's advising.