

OPINION OF THE COURT
UNIVERSITY OF MIAMI
STUDENT GOVERNMENT
SUPREME COURT

ADVISORY ON VIOLATION OF ELECTION CODES

ASSOCIATE CHIEF JUSTICE ALLIE FRAGA delivered this opinion of the Court.

Following the proceedings of the Trial Court, Jamie Williams-Smith v. Paul Douillon/A U For You in re Intimidation, the Supreme Court has authored this opinion.

On March 2, 2022, Ms. Williams-Smith submitted a request for review, alleging that Mr. Douillon violated Title 3, Section 7 & 7.1. Title 3, Section 7 & 7.1 reads, “Candidates may not intimidate, threaten, or bully, as determined by the Elections Commission, members, or supporters to join their campaign. Such actions will be considered electoral fraud (pursuant to Title 2, Section 5.) and be treated as such”. After the Administrative Interrogatives were asked to both parties, Mr. Douillon entered a plea of NOT LIABLE.

In her testimony, Ms. Williams-Smith provided the Court with a picture of Mr. Taylor with a potential voter’s phone and pictures showing that the phone he was holding was in fact not his. She also described how Mr. Douillon pointed at a potential voter’s phone and asked him to “vote”. However, there was no evidence in any submission for any candidate. There was also no evidence of Mr. Taylor voting for Dimitri M. on his phone.

Ms. Williams-Smith then provided the Court with a witness, Ms. Nicolas. Ms. Nicolas began to describe how “others” told her that they were pressured by a man. However, the “others” never appeared to Court or were listed by Ms. Nicolas. In addition, Ms. Nicolas confirmed that the “others” claimed being pressured by a man but that they did not give her a name.

In his testimony, Mr. Douillon provided the Court with a video and pictures. He prefaced the video by stating that he was able to find the man in the picture with Mr. Taylor. In the video Dimitri M. states that he is a foreign exchange student and that he is only here for two weeks. He then goes on to explain, “I just gave him my phone...I did not participate in the election nor within or afterwards”. In the pictures provided it also shows that Mr. Douillon was not present during this.

Mr. Douillon then provided the Court with a witness, Mr. Taylor. Mr. Taylor stated that Dimitri M. wanted to know more about the elections and candidates. He then instructed the individual to type “A U For You” into his phone to check it on Instagram. When the foreign exchange student had difficulty typing “For” (typing “Four” instead), Mr. Taylor was given possession of the phone to type it.

Ultimately, the Court understood that Mr. Taylor directing an individual to one campaign ticket rather than both does not constitute intimidation per Election Codes. Also, with the evidence provided, it seems that Dimitri M. was not intimidated by Mr. Taylor to vote in any such way or to hand over his phone. Rather, it seems that this individual freely gave Mr. Taylor his phone to type and did not even vote in support of anyone. In addition, Mr. Douillon’s actions in asking a candidate to “vote” and pointing at his phone does not constitute intimidation per Election Codes. The Court was not given evidence on what was pointed at but only told that he

said “vote”. Lastly, the claim that “others” felt pressured was not supported by evidence (such as names and personal statements) but rather just a statement that a man was pressuring them.

Since there was no evidence proving that intimidation occurred, at approximately 11:20pm, the Court ruled 4-0 that Mr. Douillon was NOT LIABLE and that NO SANCTIONS would be assessed against his campaign.

HELD: The Trial Court has NO SANCTIONS for Mr. Douillon