

**THE ELECTION BOARD OF STUDENT GOVERNMENT,
TEXAS STATE UNIVERISTY**

NO. EB-2/1.2017

Connor Clegg/Colton Duncan, Complainants

v.

Russell Boyd/Emari Shelvin, Respondents

**ORIGINAL ACTION FROM THE ELECTION BOARD-
HEARING ON January 27, 2017**

BACKGROUND

The Complainant, Conner Clegg and Colton Duncan (further referred to as “*Complainants*”) filed a complaint with the Elections board on January 24, 2017 alleging that Respondents, Russell Boyd and Emari Shelvin (further referred to as “*Respondents*”) had 5 separate tweets sent out from the respondent’s twitter that were unauthorized campaigning because they took place in September, 2016, three months before the

official campaigning period began, in direct violation of the Student Government Code (“S.G.C.”)

(*See* S.G.C. III §103.2(2)). The Appellants grounds for this complaint was that it violated the code and fell under what the code considers “unauthorized campaigning” (*See* S.G.C. III §103.2(3)). The complainants provided 5 screen shots of the tweets tweeted by the respondents. Each tweet stated the following: 1) “I would be a great university president. I swear my school would strive.” (tweet by @russellfromtxst, September 29,2016); 2) “Russ for President [x]” (quote tweet retweeted by @russellfromtxst, september 30,2016); 3) “Russ for President [x] you got my vote.” (quote tweet retweeted by @russellfromtxst, September 29, 2016); 4) “a new wave of Student Government is here y’all. Peep the header [x][x]” (tweet by an agent of @russellfromtxst, January 24,2017); 5) “Feb. 20th-20rd I will be voting @realrussellboyd for Student Body President and @emari_shelvin for Vice President #anewTXSTofmind[x][x]” (a tweet from an agent of @russellfromtxst, January 24, 2017). The respondents argued that the tweets were meant to be in reference to the University President, not the Student Government President, and that the two tweets that were tweeted by an agent of the respondent’s campaign were tweeted during the authorized campaign period stated in the S.G.C. The respondents called Alyssa Cormier as a witness to support their claim that her tweets were tweeted during the authorized campaign period.

DISCUSSION

The charge before the court was to rule on the following questions:

1.) Did [Respondents] violate S.G.C. III §103.2(2)., which states that the authorized campaign period begins the day after the final rules reading seminar and ends the final day of voting?

2.) If [Respondents] are found to have violated S.G.C. III §103.2(2). what punishment is appropriate for each infraction of the code?

The court would turn to S.G.C. III §103.2(3) and assert that the election code states that unauthorized campaigning is a prohibition of all attempts to secure endorsements, sponsorships, or any other presentation of information made for public consumption or use. Also that violations of unauthorized campaigning must be considered by the Election Board as among the most sever violations of the election code.

The S.G.C. defines “campaign” and “Campaigning” as statements, literature, activities, or deliberate uses or distribution of materials of any king including electronic or virtual, that have or are intended to have the effect of soliciting votes, support or interest for a candidate or elective office. Campaigning must only occur during the official campaign period as defined in this code. Therefore, each tweet except those tweeted by the respondent’s agent were a form of campaigning and must be considered among the severest violations of the Election Code.

CONSEQUENCE

The following judgment is issued as we find the Respondent’s guilty of violating the S.G.C. as it stands:

- 1.) Five separate pieces of evidence were brought to our attention in which we found two screenshots tweeted by Alyssa Cormier. We dismissed

those pieces of evidence, as we found no wrong doing on the part of the respondents.

- 2.) We found the other 3 pieces of evidence to be damning and we assigned them violations as three class “a” violations. Per S.G.C. III §101.2(2-C.3) Three (3) Class “A” violations shall result in a disqualification of a candidate from running for office and shall disqualify the candidate from running for nay office in Student Government indefinitely. The consequence shall result in the disqualification of the respondent and shall commence on Saturday January 28, 2017.

CONCLUSION

For the foregoing reasons find the Respondents guilty of violating the S.G.C. and issue the consequences as is allowed by the S.G.C.

It is so ordered

Adrian Cooper, Election Board Chair

Before Election Board Chairman and Election Board
Heard-January 27, 2017 Decided- January 27, 2017

