

Complaint Form
IUSG Election Commission

Date Complaint Submitted: Thursday, March 12, 2020

Complaint Submitted By: Rachel Aranyi and Ruhan Syed

Complaint Submitted Against: Madeline Garcia, Arianna Hoye

Date & Time of Violation: the evening of Tuesday, March 10, 2020

Description of Violation:

Violation of Section 510:

Any public promotion of a particular candidate or ticket before the beginning of the official campaign period as defined in Section 109 shall constitute a violation of this Code.

The evening of Tuesday March 11, 2020, Madeline Garcia and potentially other members of her campaign attended a meeting with Alessia Modjarrad, the College Democrats at Indiana University's President, and Allyson McBride, the organization's Director of Outreach, requesting the organization's endorsement and public support for her campaign. We are prepared to present a signed affidavit or testimony from Samantha Waterman, the organization's Director of Marketing, who can confirm both that the meeting occurred and the purpose of it. Similar secondhand evidence can be provided by Daniel Pickard-Carlisle, the current Grammarian for the IUSG Congress. This is a gross violation of both the language and intent of Section 510 of the Procedural Election Code, as it was not for the purposes of building a team, operational considerations, or collecting ballot access signatures—all presumably permissible under the Code—but an action with the intention to secure the support, votes, and endorsement of a campus organization and its members (i.e., public promotion) before the beginning of the official campaign period, which runs from March 25 at 11:59 PM until the elections are certified.

This form of pre-timeline activity undermines the Code and equal access to office in IU Student Government. Indeed, if such activities were found permissible, the Code would have no intelligible standard for discerning public-facing campaigning and that which is not, thus providing significant uncertainty to elections.

The appropriate remedy for this action is a 4-point penalty.

Potential Violation of Section 604:

Any intentional attempt of a candidate, ticket, or any person acting on their behalf to deceive or mislead the Election Commission, or an inquiry or investigation thereof, shall constitute a violation of this code. This includes a failure to produce evidence that is compelled by the Election Commission, as well as an intentional failure to notify the Election Commission of executive ticket staff members. Actions contrary to this Section may provide sufficient grounds for disqualification.

We will note, preemptively, that RESPONDENT's denial of the facts of the complaint, if ultimately found to be true by clear and convincing evidence established by the briefs filed and their supplements, is a form of dishonesty to the Election Commission and may provide sufficient grounds for disqualification. The appropriate remedy for this action is a 6-point penalty.