

# Boston University | Student Elections Commission

## Official Statement



April 9, 2014

### **Appeal, Reference #17**

On April 8, 2014 at 4:38 PM, the Student Elections Commission (SEC) received the following appeal for Complaint Reference #17 from Cassandra Shavney of TrueBU:

While Push to Start's public assertion that Senator Orientation had occurred at the start of the 2013-2014 academic year was not direct defamation, it was a blatant lie. It is not in the spirit of the election to lie on live radio about something that is factually untrue for the benefit of your slate. Students who heard this inaccurate information could have been swayed to vote for Push to Start. We have at least four senators who can vouch for a lack of Senator Orientation, as well as the current VP of Finance who never received a financial request for Senator Orientation funding.

We are aware that this complaint was already discussed and dismissed, but we are appealing because students likely voted on based on the false information distributed by Push to Start when they otherwise would not have done so. We want to uphold the fairness of elections, which the Election Code is set-up to ensure.

We would like to discuss this further and provide evidence at our 8pm meeting tonight.

### **Findings**

In addition to this appeal, in-person testimony was considered for this ruling. Both the plaintiff and respondents both offered evidence in this complaint.

The SEC takes the position that it is not our duty to fact-check the discourse that happens in this campaign. If there were defamatory discourse, it would be in our jurisdiction to rule over it, but deciding whether campaign claims are true or false are not in the purview of this body. It is the job of campaigns, not the SEC, to ensure that students know any claims they believe to be inaccurate are inaccurate; that is a normal part of the electoral process.

The SEC met in person to consider this appeal. In a 6-0 ruling, the SEC upholds its decision in Complaint Reference #17. Three members of the SEC were absent for this vote, but one of those members was present for discussion of this appeal.