

As written by Justice Matthew Okocha

JUDICIAL PANEL
UNDERGRADUATE STUDENT GOVERNMENT
THE OHIO STATE UNIVERSITY
GRIFFITH-MORE CAMPAIGN

Appellate

v.

THE JUDICIAL PANEL

Respondent

APRIL 2, 2025

This was an appeal hearing in which the GRIFFITH-MORE CAMPAIGN appealed the Judicial Panel's ruling of a guilty verdict. The appellate was found guilty of 35 violations of Article II.A.b.vi, which says campaigns must adhere to Facilities Operations and Development Posting and Chalking Guidelines, and is submitting an appeal on the grounds of procedural error by the Judicial Panel.

Held: The Judicial Panel of Appeals finds one grounds for appeal to be valid, but ultimately upholds the original decision.

Opinion

In the matter of *Griffith–More Campaign v. Judicial Panel*, the Judicial Panel of Appeals has reviewed the appellants' claim that the remanded ruling in *Almuti v. Griffith–More* was the result of multiple procedural errors that warrant reversal. The appeal cites seven separate claims of procedural error. After thorough review, the Panel finds that only one argument has merit: the fine of \$50 per violation was disproportionate to the offense and was not adequately justified by the original Judicial Panel. All other grounds for appeal are denied.

The appellants argue that the original fine of \$50 for each of the 35 violations of Article II.A.b.v was excessive, especially given the nature of the offense—placing palm cards under vehicle windshields in a university parking lot. During the hearing, Mr. Griffith raised a concern that the same maximum fine could apply to a violent arrest or unauthorized encampment on campus, suggesting that the Judicial Panel equated the severity of those acts with something as minor as flyer placement. The appellants also point out that the original panel did not explain why it chose the \$50 figure. The Judicial Panel had based its calculation on the maximum fine for a Type II bylaw (\$50) and treated that number as a baseline for fines under the more serious Type III category, which allows fines up to \$100. While we do not adopt the appellants' argument, we agree that \$50 per instance may have been too severe in this case.

Instead, we determine that a \$15 fine per violation is a more proportional response, reflecting comparison with other relevant infractions—particularly the bylaw governing the defacement or misplacement of physical campaign materials. Flyers, like palm cards, are visual campaign tools subject to placement restrictions. Thus, a \$15 fine is consistent with precedent and with the Election Bylaws' intent. This results in a total penalty of \$525 for the 35 violations. When combined with the previously imposed \$150 fine, the Griffith–More campaign is now liable for \$675 in fines. As of April 2, 2025, the campaign reported expenditures of \$1,453.75. With the additional \$675 in fines, their total campaign value now stands at \$2,128.75—exceeding the \$2,000 budget cap established by the Election Bylaws. Article II.C.b.v of the Election Bylaws states: “Any fines incurred that bring the value of a candidate or slate below zero (0) dollars shall result in disqualification.” Because the slate now exceeds the cap by \$128.75, disqualification is required.

Turning to the remaining grounds for appeal, we find no procedural error. The appellants argue that the Judicial Panel lacked original jurisdiction over signage-related violations. However, university legal counsel confirmed that USG has concurrent authority to enforce its election bylaws, including those referencing broader university policies like the Posting and Chalking Guidelines. The Judicial Panel’s decision to hear the case was consistent with that guidance.

Next, the appellants claim the ruling conflicts with prior case precedent, namely *Farinacci v. Messenger* and *Griffith v. Almuti (2025)*. But those cases dealt with different bylaws and different standards. The Griffith–More case centers on the misuse of campaign materials, and the Judicial Panel was justified in finding that the campaign was responsible for how those materials—palm cards—were distributed, especially after Mr. Griffith himself testified to handing out 2,400 cards to campaign members and unknown people on High Street who may have been supporters.

The Panel also affirms the composition of the remanded Judicial Panel. The original hearing had four justices, which was below the procedural standard of five. The remanded panel included five justices, one of whom replaced a justice from the original panel who was indisposed. This is explicitly permitted under the Standing Rules, and the Panel correctly addressed the initial procedural error. We also reject the argument that the new evidence used to justify the remand was not “substantive.” The threshold for remanding a case is whether the new evidence could reasonably impact the outcome—not whether it must. The surveillance footage submitted by the plaintiff, though not conclusive, provided new context that had not been previously available. The remand was valid.

Lastly, we dismiss the claim that the appeal itself was invalid because the new evidence was requested after the brief was filed. The evidence had never been introduced prior to the remand and was not discussed in the original hearing. Furthermore, the Judicial Panel allowed refiled briefs and new evidence to be submitted up to 24 hours before hearings throughout the election cycle. Changing that rule retroactively would be inconsistent and unfair, especially since the appellants themselves benefited from the same flexibility earlier in the process.

In conclusion, while the Panel of Appeals finds that the \$50-per-violation fine was excessive and reduces it to \$15, the Griffith–More campaign’s total value still exceeds the \$2,000 spending cap. The disqualification remains in effect. The Judicial Panel of Appeals takes no joy in affirming disqualifications, but we expect all campaigns to adhere to the bylaws that are in place. The Election Bylaws are in place to ensure fairness, and all campaigns are expected to operate within their bounds.

It is so ordered.

As written by Justice Matthew Okocha

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Signed: The Judicial Panel

Majority:

Chief Justice Matthew Okocha

Justice Laila Coats

Justice Emily Doucette

Justice Judith Vega