

As Written By Justice Chelsea Johnson

THE JUDICIAL PANEL
UNDERGRADUATE STUDENT GOVERNMENT
THE OHIO STATE UNIVERSITY

MADDIE CARSON & SRI UPPALAPATI

Plaintiff

v.

JACOB CHANG & ANNA VALERIUS

Defendant

17 March 2021

On Monday, March 9, the Maddie & Sri Campaign (Plaintiff) submitted a brief to the Judicial Panel, alleging that the Jacob & Anna Campaign (Defense) committed a type III violation per Article II.A.1.i of the 2020-21 USG Election Bylaws. The bylaw prohibits candidates, candidate teams, and slates from disseminating libelous or slanderous information about another candidate.

Opinion

Plaintiff presented evidence that a member of the Defense's candidate team sent a message in the group chat labeled "bOSU" that read "btw, at the debate yesterday, only one team committed to cutting ties with CPD and including justice, equity, and accessibility into everything they do." This statement was made in reference to the Plaintiff by a member of the Defense's campaign team. The GroupMe has over 2,000 members and is used to disseminate information to a large population of the undergraduate student body and a potential voting population. The Plaintiff argued that this message could have injured their campaign and was libelous against members of the candidate team and the Judicial Panel agrees.

The definition of libel, as stated in the Election Bylaws, is as follows: "Libel is a false written statement or report that can injure a candidate's, candidate team's or slate's reputation." The Defense argued that the statement made in the GroupMe was true, according to policy points found on the Plaintiff's campaign website. The Panel found the presentation of policy points to be beyond the scope of the issue presented in the brief, as the message in the GroupMe was in regard to comments mentioned during the debate. After review of the debate transcript, the Panel concluded that neither candidate team explicitly committed to "cutting ties" with the Columbus Police Department but rather made reference to reevaluating the University's relationship with CPD. Therefore, we have determined the statement made in the GroupMe to be false.

The definition of libel, as stated in the Election Bylaws, does not require evidence to have been found in regard to damaged reputation, only that the possibility exists. With this definition in mind, the Panel found that this false statement could have had potential negative consequences against the Plaintiff, and therefore we found the statement sent in the GroupMe by a member of the Defense's candidate team towards the Plaintiff candidate team to meet the definition of libel.

Thus, it is with confidence that the Judicial Panel finds the Jacob & Anna Campaign to be in violation of the Election Bylaws and approves Plaintiff's request for a \$100 penalty. The Judicial Panel declines Plaintiff's request to assess an additional \$20 fine per campaign member named in the brief.

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It is so ordered.

Signed: The Judicial Panel

Majority:

Chief Justice Josh Badzik, Presiding

Justice Chelsea Johnson

Justice Amit Khanna

Justice Claire Kinnear

Justice Ryan Miller