

Election Commission (EC) Violation Hearing Student Government Conference Room (SU 320) February 14, 2025 8:50 AM

# EC VIOLATION HEARING

1. Call to Order: 8:50 AM

2. Roll Call & Verification of Quorum: 5/4

Name	Email	Initial	Final
Supervisor of Elections Luke Brown	sga_ec@ucf.edu sgec9@ucf.edu	Р	
Assistant Supervisor of Elections Alyssia Wright	sga_aec@ucf.edu sgec3@ucf.edu	P	
Commissioner Norah Sackett	sgec1@ucf.edu	Р	
Commissioner VACANT	sgec2@ucf.edu	-	-
<b>Commissioner</b> Aneesha Nayak	sgec4@ucf.edu	Р	
<b>Commissioner</b> Amarah Presley	sgec5@ucf.edu	P	
Commissioner VACANT	sgec6@ucf.edu	-	-
<b>Commissioner</b> Jessica Vitarelli	sgec7@ucf.edu	Е	
<b>Commissioner</b> Brianna Phillips	sgec8@ucf.edu	Е	
<b>Commissioner</b> VACANT	sgec10@ucf.edu	-	-

- a. Introduction of Violation Hearing:
  - a. Supervisor Brown: On February 10<sup>th</sup>, a student who has requested to remain anonymous, submitted an affidavit regarding Instagram posts made by Lester Tellez and Andrew Ter Doest on various Instagram and X accounts; @onpointpolitics, @tellezterdoest2025, seen on



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various dates; 11/12/24, 12/13/24, 12/20/24, 12/25/24 advertising their campaign. Along with a LinkedIn post in December by Bianca Lopez promoting Lester Tellez and Andrew Ter Doest. Today the Election Commission will be determining if this is a violation of the Election Statutes under Title VI, Chapter 606.4, Section D stating that "Active campaigning before the specifically designed time for Active Campaigning." (Violation Affidavit - Tellez Doest #1

- b. Supervisor Brown: On February 11<sup>th</sup>, Senator Autumnm Johnson, submitted an affidavit regarding Lester Tellez, stating that on February 5<sup>th</sup> at 1:45pm, she witnessed Lester Tellez state he was running for Student Government president prior to be officially announced as a candidate. Today the Election Commission will be determining if this is a violation of the Election Statutes under Title VI, Chapter 606.4, Section D stating that "Active campaigning before the specifically designed time for Active Campaigning." (Violation Affidavit Tellez Doest #2.pdf)
- c. We will be seeing both of these affidavits at the same time today due to their similarities and will issue a verdict on both. Please be sure to ask questions, and make statements regarding both of these affidavits.
- b. Statement of the Filer:
  - a. N/A
- c. Statement of the Accused:
  - a. WRIGHT: 10 minutes
  - b. Good morning election commissioner, I am lester tellez. Starting with prodederual issues. It is not notarized. Awarded the following rights, review all evidence, right to confront filer and know identity of accuser, and cross examination of witnesses. Active campaigning is distribution of tangible and electronic media in an attempt to solicit vote. Lester Tellez removed all social media posts on Jan 7th upon the direction of Luke Brown. The LinkedIn post was made unaware of this. Once made aware they cooperated with the Supervisor of Elections and communicated with him to avoid this. Posts were not taken down in order ot obscure evidence but in co-operation. The candidate was not handing out any material of any kind of just informing people that he would be a candidate down the line.
    - i. 606.14, Section 606.21 B: Right to know, 606.21 G right to examine witnesses
- d. Questioning of the Filer:
  - a. N/A
- e. Questioning of the Accused:
  - a. Wright: Unlimited
  - b. Presley: Where you aware of the statues prior to deciding to run
    - Tellez: No I was not, specifically about electronic media. My information was that there was not physical campaigning allowed, was not aware of electronic regulations.



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- c. Wright: Did you read Title 6
  - i. Tellez: No, I had not read title 6
- d. Aneesha: Clarification on LinkedIn post
  - i. I did not consent and was not aware of it
    - 1. What is your relationship with them
      - a. They are my friend but i was not aware of it being submitted
        - i. Where they aware of the title?
          - 1. No, where not
- e. Sackett: You took everything down on the 7<sup>th</sup>. Do you believe this got rid of you actions in December or do you believe this to be an appeal
  - i. I was co-operating with the Supervisor of Election and conducting good sportsman ship as I was not aware of the statues
- f. Wright: Do you think reading before would of help? Or talking with SG would of helped?
  - i. Yes, reading statues would have helped. No, discussing with a SG member would not have helped.
- g. Wright: Have you ever been a part of Sg
  - i. I ran for senate, but I lost the campaign
- h. Brown: Being that you ran last year, should you have attended an info session and gotten this information
  - i. I had been quite a while since the session
- i. Brown: Were you confirmed last year
  - i. I got confirmed to me a candidate on the first day of Declaration of Candidacy
- j. Presley: You don't have to know, where did you get the 125 signatures from
  - i. I had spoken with Brawley, he said each candidate needed 125 signatures. At the time I believe the google form was good to collect all signatures
- k. Sackett: So, you met with Brawley when was that?>
  - i. At some point in December
- 1. Sackett: Wright asked earlier, and you said no to an SG member
  - i. I said no in regard to the statutes, not just talking to them. I had talked to him after most these were made
- m. Wright: So if you spoke with Brawley after the posts were made
  - At some point in December, after all these were made. None of these posts had anything to do with the statues. They were just about collecting signatures and getting first.
- n. Nayak: What made you unaware of these election statues prior to making the posts
  - i. I was operating under the assumption I was not allowed to distribute physical material. By then we had gotten to winter break so I wouldn't of been able to
- o. Nayak: Who told you about the tangible items



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- i. Assumption based on previous years
- p. Wright: When running for senate you did attend an info session, you were aware of the rules?
  - i. Tellez: Yes I should of re-read them and am aware there are rules and statutes. I just wasn't fully aware of the online campaigning. I was more eager to run this you so I began earlier. In senate I didn't care so I didn't try hard.
- f. Questioning of the Filers Witnesses and Evidence:
  - a. Supervisor Brown: Redacted Author Evidence Affidavit 1 Evidence
  - b. N/A
- g. Questioning of the Accused Candidate/Ticket's Witnesses and Evidence:
  - a. Supervisor Brown: <u>Lester Tellez Evidence</u>
  - b. Presley: With evidence, are you saying that college signatures through google form is not applicable
    - i. Brown: Something we decided to change at the start of this year. Technically not a violation because it had not been announced of the change to Knight Connect
    - ii. Taylor: Was a procedural change, not a statute change. Nothing is statutes states how signatured be collect
  - c. Norah: Only questing evidence that he gave
    - i. Brown: You can question about the evidence related to the defense
    - ii. Taylor: can ask any clarifying questions after evidence is being presented
  - d. Nayak: Regarding the evidence of the Instagram post that you made, after president trumps election. EC is a non-partisan entity, I'm wondering why you brought real world politics into this campaign
    - i. I don't understand what the problem is with that. I don't believe it has anything to do with the violation
      - 1. Nayak: I was more so just questioning the campaign.
  - e. Presley: When you discovered the LinkedIn post did you ever ask them to take it down
    - i. I only found out about it on Wednesday, and wasn't aware of it till then. Informed them it was a problem and they where not aware of it being one.
- h. Final Questioning:
  - a. Sackett: In both you emails and today you said you weren't aware of statutes, so you weren't aware of any or jump some
    - i. I was aware of some, but it was a basic understanding and it has been a year. I should of gone back and looked it
  - b. WRIGHT: So you are aware that title 6 and guidelines exist and how to find them
    - i. I didn't know where to find them but i was aware there was rules
  - c. Nayak: So after these violations, what would you different if you campaigned again?



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- i. One side already got an email about their situation, I've asked supervisor brown about any questions I may have and ensured I communicated with him ever since this situation has come up
- d. Brown: As you are aware that you were a previous candidate, did you ever converse with previous Supervisor of Elections
  - i. Tellez: I did yes, I emailed her previously
- e. Brown: Do you think Grace did a good job of providing rules
  - i. Tellez: I do think she did a good job, i just forgot most of it
- f. Brown: If you knew that Supervisors of Elections was a point of contact. Why did you not reach out prior
  - i. Tellez: At the time, i had though i couldn't physically campaign. I didn't know that rule applied to electronic media
- g. Wright: So, do you think by posting early you have an advantage in this election if you were to remain in it?
  - i. The posts received like 10? 15? Likes. In a sense yes, but in a real sense probably not as the reach of the posts wasn't large.
- h. Sackett: Can I ask what your conversation was with Brawley?
  - i. I asked what the VP did throughout the day, such as meetings, senate, etc. And the signatures was mentioned at the end and I understood the 125 signatures at the end
- i. Sackett: So more role based?
  - i. Yes, not statutes
- j. Nayak: Did you attend any form of info sessions prior to making the decision?
  - i. I was intending to do it in 2024, but I decided not to. That is how I knew and learned about the debates. I educated myself through that and was aware of Bryce and Brawley.
    - 1. Nayak: How you where educated?
      - a. I knew the signatures was needed prior
    - 2. Nayak: So you learned this from running t senate last year?
      - a. Yes but it was priority of mind last year
    - 3. Nayak: So this year your trying to be more active campaigning?
      - a. Yes, I spoke with the RWC and interacting with more senators and learning about A&SF Budget
- k. Wright: You spoke with RWC, why did you not go to the Supervisor of Elections
  - i. Taylor: He likely spoke to learn about the job itself and not the campaign
    - 1. The RWC is funded by SG and learning what they need and what needed to get done by gaining info.
- i. Closing Statement of the Filer:
  - a. N/A



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- j. Closing Statement of the Accused Candidate/Ticket:
  - a. Reiterate statues says the affidavit has to be notarized
    - i. Taylor: It was notarized by it was removed to censor their name
  - b. The accused has the right to know the name 606.21 B and to cross examine the witness. I would also like to say just because of the sections of the right to know. Mentioning the request to be identity, cannot accurately defend himself or avoid misrepresentation. I believe I may know who it is as I likely relates to the new RSO I was creating. The filer likely has had issues with my prior to me attempting to run. I believe there is severe bias in this case such as the Bianca LinkedIn post. They are aware this person is friends with my so to know to look for this is a sign of that.
  - c. I do regard this did happen. But I do not believe this was active campaigning as I did not instruct them to do anything or mention campaign platforms. Active Campaigning definition.
  - d. I fully cooperated with the Election Commission about receiving a email from Supervisor Brown. I took down all social media posts as an attempt to follow his directions and not to obscure evidence
  - e. I do not agree with this as it was not active campaigning for Affidavit 2.
- k. Election Commission Deliberation:
  - a. Taylor: Reminder of various things and that we operate under preponderance of evidence. If you come to conclusion, you are not locked in a certain sanction for a tier. You can take other things into account. No violation has to fully be issued if you want. Ignorance of statues is not a valid argument. They are not liable if they didn't condone or obligate this,
  - b. Affidavit 1 Verdict: 5-0-0
  - c. Affidavit 2 Verdict: 0-5-0
  - d. Active Campaigning prior to be declared
  - e. Sanction 5-0-0
    - ii. Suspension of all Electronic Campaigning from February 15<sup>th</sup> at 12:01 AM until March 9<sup>th</sup> at 11:59 PM, for the ticket. Electronic Campaigning is inclusive of individuals or groups posting in support of the ticket. They must archive or delete any posts related to the campaign and delete all bio information and profile icon images on all platforms. All specific accounts, social networking apps, etc. for the campaign/ticket must be temporarily deactivated.
    - ii. No Physical campaigning, including tangible items such as flyers, merchfrom February 15th 12:01am to February 23<sup>rd</sup> 11:59pm.

I. Final Roll Call: 5/4m. Adjournment: 10:22 AM

Key:



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P - Present

A - Absent

E - Excused

MTD - Move to Debate

MTV - Move to Vote

MTA- Move to Amend

MSQD - Motion for Speech, Questioning, & Debate Time

PP - Postpone

PPI - Postpone Indefinitely

GC - General Consent