

THE JUDICIAL COURT OF TEXAS A&M

Petition for Writ of Certiorari

Petitioner Information

Name: Cade Coppinger

Email: [REDACTED]

Phone: [REDACTED]

UIN: [REDACTED]

Filing Against

Name: Jared Ramos

Organization: Election Commission

Position: Commissioner

Statement of Relevant Facts:

Cade Coppinger posted a campaign video on his Instagram account on 2/12/24.

On 2/23/24 at 1:30 PM Cade Coppinger was issued a Major Violation for a video that was posted on his Instagram account that fell under the following segments of the code:

Article V “Restrictions” Section II “Campaigning” (e) “Areas inside the Memorial Student Center, Rudder Buildings, Rudder Fountain, classrooms, the Rec Center, and the John J. Koldus Building are off limits to campaigning during the campaigning period, except when a group or organization allows candidates to speak at their meetings. In these cases, the candidate may only campaign in the immediate room in which the meeting is being held. The only exception to this rule is that articles of clothing may be worn anytime anywhere during the campaign period. Any candidate found actively campaigning in the aforementioned areas shall be assessed a major violation. Wearing t-shirts or apparel is not considered actively campaigning. Apparel includes clothing, backpack tags, tattoos, and anything else deemed apparel by the Election Commissioner.”

Article V “Restrictions” Section III “Electronic Campaigning” (4) “Evidence found on the internet of physical campaign violations shall be accepted by the Election Commission.”

Article V “Restrictions” Section III “Electronic Campaigning” (5) “ Videos created in support of a candidate shall be considered campaign materials and the contents within such materials may be subject to regulation.”

Article IV “Campaigning” Section III “Materials” (a) “Campaign materials are defined as anything distributed or displayed for the purpose of soliciting votes for a candidate.”

The election commission did not provide a significant explanation as to why the violation was rewarded other than noting:

“Memorial Student Center” and “Any candidate found actively campaigning in the aforementioned areas shall be assessed a major violation.” From Article V Section II Subsection (e)

The evidence submitted neglected to include the date on which the video was posted, preventing the election commission from being able to consider the 24-hour rule outlined in Article IV. Section II Subsection (a).

Email correspondence with the Election Commissioner showed that the commission was unwilling to revisit the violation even when presented with holistic evidence.

The major violation resulted in Cade Coppinger being fined \$225 from his campaign budget/expense report.

Applicable Statute(s):

Article IV. Section II Subsection (a): A student who wishes to report an alleged violation of the election Regulations may do so by filing a written account or online report of the alleged violation with the election commission within twenty-four (24) hours of the alleged violation. The violation report can be found at tamuelection.com

Article V Section II. Subsection (e): Areas inside the Memorial Student Center, Rudder Buildings, Rudder Fountain, classrooms, the Rec Center, and the John J. Koldus Building are off limits to campaigning during the campaigning period, except when a group or organization allows candidates to speak at their meetings. In these cases, the candidate may only campaign in the immediate room in which the meeting is being held. The only exception to this rule is that articles of clothing may be worn anytime anywhere during the campaign period. Any candidate found actively campaigning in the aforementioned areas shall be assessed as a major violation. Wearing t-shirts or apparel is not considered actively campaigning. Apparel includes clothing, backpack tags, tattoos, and anything else deemed apparel by the Election Commissioner.

How the statute(s) is / are applicable:

Article IV. Section II Subsection (a):

- The violation was not submitted within the 24-hour window **required** by the election regulations. (Article VI Section II (a))
 - “24” hours of the alleged violation
 - The video was posted on Feb 12th. The 2 violations were submitted on 2/23 + 2/18

- The initial violation neglected to show when the video was published. There is evidence that can be provided to show the exact date in which the video was filmed and posted.
 - Logan Mohr (Spring '23)

Article V Section II. Subsection (e):

- The commission has previously defined what constitutes active campaigning.
- The video was shot before the campaigning period. The statute states that the area of off limits **during** the campaigning period.
- Article V Section II (e) ends with **actively campaigning**. The regulations do not explicitly define actively campaigning, however, precedence shows us that active campaigning is defined as actions that are **ACTIVELY** garnering votes. The video was filmed with Cade walking down the hallway, not speaking. The clip does not have Cade saying anything about voting or his campaign and could have been used as media for things other than his campaign.
 - Without evidence to show that Cade or associates were saying “vote Cade” while the video was being filmed a bystander could have assumed the video was being filmed for any other purpose.
 - Precedence was pulled from previous violation reports and is as follows:
 - Will Rodriguez (Spring '23, 99)
 - Further precedence that there is a clear definition of active campaign and producing campaign material.
 - Ramon Rodriguez (Spring '23, 44)
 - The election commission has previously defined what active campaigning is. Instead, there is a distinction between active campaigning and producing campaign material.
- There is precedence that supports the claim that the production of campaign materials have a separate definition from active campaigning. Therefore there is no overlap between filming a video and posting it for views.
 - Jorgia Watson (Fall '22)
 - Was not awarded a violation even though she used a video of her lifting in the rec as campaign material.
 - Commission ruled that since the video itself did not contain Watson actively campaigning, the statue could not be enforced.
 - Ramon Rodriguez (Spring '23, 44)

Desired Result:

- The overturning of the Major Violation and the removal of the \$225 fine from Cade's budget and expense report stemming from the violation that was handed to Cade Coppinger as a result of the initial decision.

By signing this document, I hereby certify that all written statements herein are true and correct. I further acknowledge that the submission of false statements is a violation of the Aggie honor code.

Digital Signature: Cade Coppinger Date: 3/3/24